

Procedure IV.4002.D.a, Renewal and Non-Renewal of Contractual Employees

Associated Policy

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Procedures

- A. Administrative and professional contracts are generally for periods of twelve (12) months. Faculty may be issued contracts for periods of nine (9), ten and one-half (10 ½), or twelve (12) months. Contracted employment for one (1) or more years does not create any contractual relationship or other entitlement of employment beyond the term of the contract and should not be construed as leading to tenure.
- B. All employees are subject to review prior to any decision about contract renewals. The Board of Trustees may renew or extend a contract, allow any contract to expire by its own terms without action by the Board, choose not to extend an existing contract, or choose not to offer further employment.
- C. The anniversary date for twelve (12) month contracts will be September 1. Contracts of less than twelve (12) months will generally begin August 15 and extend for a period of nine (9) and/or ten and one-half (10 ½) months.
- D. Only the Board of Trustees is authorized to enter into a contract with an employee unless that right is specifically delegated to the Chancellor or designee. Only the Chancellor, or designee, may communicate a contract offer. Oral representations by College employees other than the Chancellor, or designee, are not binding by the Board. Offers of contractual employment may only be accepted by signing and returning the contract to Human Resources within thirty (30) calendar days of issuance. If the Chancellor, or designee, does not issue a notice of non-renewal, or offer the full-time faculty member a written contract before the 61st day after the first day of the academic year and the College retains the faculty member without issuing a new written contract, the College will retain the faculty member for that academic year under the same terms and conditions, including compensation, that are at least as favorable to the faculty member's employment for the preceding academic year. However, nothing in this procedure is intended to provide a faculty member additional rights, privileges, or remedies not already possessed, or to provide an expectation of continued employment beyond the period of a faculty member's current contract.
- E. Contract recommendations for renewal or non-renewal of nine (9) month, ten and a half (10 ½) month, and twelve (12) month faculty contracts are typically presented to the Board of Trustees on or before the May Board meeting.
- F. Contract recommendations for renewal or non-renewal of administrators, designated as contract eligible, are typically presented to the Board of Trustees on or before the September Board meeting.

- G. In the event that operational, fiscal, or administrative circumstances delay the contract recommendations for renewals and non-renewals to the Board of Trustees, and College leadership is unable to offer a new contract at least thirty (30) calendar days before the first day of the academic year, leadership will notify the affected full-time faculty member in writing of the reasons for the delay and will specify in the written notification a time by which the Board of Trustees will offer a written contract to the faculty member for the applicable academic year.
- H. When a leader determines that it is likely that they will recommend non-renewal of a contract, the leader will inform all levels in the leadership chain as promptly as possible, so that College leadership may evaluate the employee's circumstances and take action to ensure compliance with this procedure.
- I. A contractual employee will be notified of the intent to non-renew the contract by the respective Provost or Vice Chancellor as soon as practicable.

APPEAL RIGHTS OF FULL-TIME FACULTY MEMBERS

- A. In accordance with Texas Education Code § 51.960, full-time contracted faculty have the right to file an appeal and seek review by the Chancellor or designee regarding a contract non-renewal.
 - 1. The faculty member must present a signed statement of appeal to the Chancellor within ten (10) working days following receipt of the notice of non-renewal. The faculty member's statement shall be factually specific and will explain the reasons why the faculty member believes that the contract should not be allowed to expire.
 - 2. The Chancellor, or designee, will review the faculty member's statement and will schedule a meeting in person with the affected faculty member. The Chancellor, or designee, at their sole discretion, may or may not request additional information.
 - 3. The Chancellor, or designee, will provide a written response to the affected faculty member within fifteen (15) working days of receipt of the appeal. If more than fifteen (15) working days will be needed to render a decision, the Chancellor, or designee, will notify the faculty member in writing how much time will be needed to provide a response.
 - 4. The decision of the Chancellor, or designee, is final; however, nothing in this procedure precludes the affected faculty member from appearing before the Board of Trustees during the hearing of citizens.
- B. The appeal process provided by this procedure and Texas Education Code § 51.960 only applies to full-time faculty members, including professional librarians. This appeal procedure does not apply to administrators and staff; however, nothing in this procedure precludes such employees from appearing before the Board of Trustees during public comment.

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Associated Policy	Policy IV.4002.D, Renewal and Non-Renewal of Contractual Employee
Primary Owner of Policy Associated with the Procedure	Vice Chancellor, Human Resources, Organizational and Talent Effectiveness
Secondary Owner of Policy Associated with the Procedure	Vice President, Human Resources
