HSC OP: 60.08, Annual Renewal of Certain Faculty Employment Contracts

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

REVIEW: This HSC OP will be reviewed by August 1 of every odd-numbered year (ONY) by the Executive Vice President for Academic Affairs, with recommendations for revision forwarded to the President by August 31.

POLICY/PROCEDURE:

1. Definitions.
   a. Contract means an agreement between the Texas Tech University System or one of its components ("University") and a full-time faculty member establishing the terms of employment for an academic year, or years, if applicable. (See form, Attachment A)
   b. Faculty member is a full-time University employee whose primary duties include teaching or research. The term "faculty member" does NOT include:
      1. Classified personnel; or,
      2. A faculty member who spends a majority of his/her time in managerial or supervisory activities, such as a chancellor, vice chancellor, president, vice president, provost, associate or assistant provost, dean or associate or assistant dean.
   c. Non-tenure acquiring (non-tenure track) faculty member is a full-time faculty member who holds one of the following job classifications:
      1. Faculty Associate;
      2. Assistant Instructor;
      3. Instructor;
      4. Assistant Professor;
      5. Associate Professor; or,
      6. Professor.
   d. Tenured or Tenure acquiring (tenure track) faculty member is a full-time faculty member who holds one of the following job classifications:
      1. Assistant Professor;
      2. Associate Professor; or,
      3. Professor.

2. Annual contract renewals for non-tenure acquiring (non-tenure track) full-time faculty members.
   a. Except as provided below, the University must provide a non-tenure acquiring (non-tenure track) full-time faculty member a written contract for an academic year not later than 30 days before the first day of the academic year.
b. If the University is unable to provide a timely notice of employment, it must provide the non-tenure acquiring (non-tenure track) full-time faculty member written notice:

1. That it is unable to comply with Section 51.943 of the Texas Education Code;
2. Stating the reasons why it is unable to comply, e.g., unidentified need or funding, etc.; and,
3. Specifying the time by which it will provide a written contract.

c. If the University retains a non-tenure acquiring (non-tenure track) full-time faculty member without providing him/her a written contract before the 61st day after the beginning of the academic year, then it must employ him/her under the terms and conditions that are at least as favorable as the preceding academic year. The University and the non-tenure acquiring (non-tenure track) full-time faculty member may subsequently negotiate a different employment agreement.

3. **Written notification of changes in a term of employment for tenured or tenure acquiring (tenure track) full-time faculty members.**

a. The University will NOT provide annual contracts to tenured or tenure acquiring (tenure track) full-time faculty members.

b. The University will provide tenured and tenure acquiring (tenure track) full-time faculty members written notification as required by the University's tenure and promotion policy (HSC OP 60.01) at least 30 days before any change in a term of employment takes effect.