

D.2.5.1 (Procedure) Hiring Authority, Status, Assignments and Duties

Responsible Department: Employee Services

Based on Board Policy: [D.2.5 - Hiring Authority, Status, Assignments, and Duties](#)

Approved: 4-28-09

Last Amended: 6-16-09

In this procedure the term "Chancellor" means "Chancellor, Interim Chancellor, Acting Chancellor, or designee."

TERM CONTRACTS

Administrator Appointments

The Board shall hire and renew or nonrenew the contracts of the Chancellor and the District Director of Internal Audit. Upon recommendation by the Chancellor and approval by the Board, administrators shall be hired using contracts of one or two year terms. Contract renewal or nonrenewal for these positions shall be considered by the Board no later than the regular May Board meeting.

Faculty Appointments

The terms and conditions of every appointment to the faculty shall be stated in writing and be in the possession of both the institution and the faculty member before the appointment is consummated.

There are two types of appointments:

- a. Probationary appointments (tenure track).
- b. Appointments with continuous tenure (tenured).

The Chancellor shall recommend faculty probationary and continuous tenure contracts to the Board for approval.

Faculty Probationary (Tenure Track) Appointments

Probationary appointments may be for one year or for other stated periods; but the total probationary period shall not normally exceed seven years including full-time service with the rank of instructor or higher in other institutions of higher learning. However, a faculty member who has served a term of probationary service of more than three years full-time service in one or more institutions may be required to serve in a probationary status for a period not to exceed four years' full-time service in this College District. Under these circumstances the total probationary period in the academic profession may extend beyond seven years' full-time service.

Exceptions

The Chancellor may employ personnel for whom Board employment approval is necessary pending Board approval when, in the opinion of the Chancellor, the deferral of employment authorization until the next regular Board meeting would cause a significant disruption in the operation of the College District. Employment so authorized shall be submitted to the Board for consideration of contract approval at the earliest practical time.

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Adjunct Faculty Appointments

The Chancellor shall hire temporary employees including adjunct faculty.

Adjunct faculty may be hired in a full-time or part-time capacity and shall be hired on a semester-by-semester contract basis contingent upon the needs of the College District. Adjunct faculty members accrue no tenure rights and are not guaranteed any employment beyond the semester for which they are employed.

The College District shall not hire as adjunct faculty members former College District faculty members who were denied tenure, or whose probationary contracts were not renewed for reasons other than program reduction.

For purposes of salary and employee rights and benefits, adjunct faculty are defined as follows:

- a. Adjunct with Benefits - faculty teaching 12 or more semester hours or the equivalent; paid, on the basis of qualifications, at the rate of the entry salary level for tenure track faculty; and eligible for all employee rights and benefits as defined by applicable programs with the exceptions noted above (see *Adjunct Faculty Appointments*).
- b. Adjunct without Benefits - faculty teaching fewer than 12 semester hours or the equivalent and paid in accordance with a salary schedule determined on a per-class basis. This category of adjunct faculty is not eligible to accrue leave or receive fringe benefits.

Faculty Department Chairpersons

Contracts for ten and one-half months will generally be issued to department chairpersons, provided approval is granted by the college President following an assessment of department needs.

Other Term Contracts

The Chancellor may develop guidelines for implementation of other term contracts to include:

- a. Supplemental service agreements.
- b. Extended service agreements.
- c. Summer employment agreements.

Supplemental Service Agreement

A supplemental service agreement is a term contract offered to regular faculty, administrators, professional or classified employees to perform special functions outside of the normal job description and assignment or to teach no more than eight additional semester hours or the equivalent during each fall and spring semester. Supplemental assignments may include activities such as a musical performance at a College District-sponsored event outside of the employee's normal duty hours as long as the assignment is for an educational or artistic purpose

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for the benefit of the College District, and the employee's compensation for the activity is less than \$600.

Extended Service Agreement

An extended service agreement is a term contract offered to non-instructional faculty and department chairpersons beyond or in addition to an existing term contract, specifying commencement and termination dates within which the extended term of employment is performed.

The extended service agreement shall be prorated based on a nine-month salary. Sixty work days shall constitute a full load for a three-month proration.

Summer Employment Agreement

A summer employment agreement is a term contract offered to faculty to perform academic duties during the summer semester session. The summer employment agreement shall be prorated based on a nine-month salary. Twelve semester hours or the equivalent shall constitute a full load for a three-month proration.

NON-CONTRACT (AT-WILL) EMPLOYMENT

Regular Staff Employee

A regular staff employee is defined as a non-faculty, non-contract employee in any position included in the staffing table in the annual budget at the beginning of the fiscal year or in subsequent Board-approved revisions. Regular staff employees may be noted as classified or professional in the staff compensation plan.

Temporary Staff Employee

A temporary staff employee is defined as a non-faculty, non-contract employee in any position that is not included in the staffing table in the annual budget at the beginning of the fiscal year or in subsequent Board-approved revisions. The Employee Services department is charged by the Chancellor with developing temporary employment guidelines.

Employment Authorization

The Chancellor shall hire non-contract employees with appropriate skills and qualifications to fill positions with the College District.

Only the Chancellor or designee who has been specifically designated in writing has the authority to communicate an offer of employment or to make oral or any other representations or agreements for employment, for any specified length of time or for any other agreements/representations regarding employment. Any such offers, representations or agreements not made by the Chancellor or designee who has been specifically designated in writing are not binding on the Board or the College District.

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Employment is authorized only after review by the Employee Services department and written approval of the Chancellor.

Service Duration

All non-contract employees are employed at will, are not employed for a specific length of time, and have no property right in their employment. At-will employees may be dismissed at any time, for any legal reason or for no reason.

STANDARD WORK WEEK

The College District shall have a standard work week for all full-time employees, that is specified as a seven-day period beginning at 12:00 a.m. on Saturday and ending at 11:59 p.m. the following Friday. All full-time employees shall work a minimum of 40 hours per week. Because flexibility is critical to the diverse functions of a complex institution the schedule for a forty-hour work week may vary between and even within units depending on the needs of the department and/or duties and responsibilities of the individual employees. The determination of work schedules is the responsibility of and shall be at the discretion of the immediate supervisor subject to approval of the next level administrator.

Legal Reference - TACC Policy Reference Manual

DDA(LEGAL) - Contract and At-Will Employment: Term Contracts

DDC(LEGAL) - Contract and At-Will Employment: At-Will Employment