

### **D.10.2.3 (Procedure) Nonrenewal: Non-Tenured Employees**

Responsible Department: Human Resources

Based on Board Policy: [D.10.2](#) - Separation from Employment

Approved: 4-29-09

Last Amended: 7-1-12

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#### **Nonrenewal**

Contracted employment does not create any entitlement to employment beyond the current term of the current contract. Renewal of a contract is not automatic. Nothing herein shall prevent the Board from deciding, by vote or by inaction, not to offer a term contract employee further employment with the College District beyond the current term of the current contract, for any legal reason or for no reason.

Nonrenewal shall not be based on an employee's exercise of rights guaranteed by the Constitution or be based unlawfully on an employee's race, color, religion, gender, national origin, age, genetic information, sexual orientation, disability or veteran status.

Written notice of nonrenewal of a probationary faculty appointment shall be given to the faculty member in advance of the expiration of the appointment, according to the following minimum periods of notice: by March 31 during the academic year.

#### **Grievance Filed Under Education Code 51.960**

Full-time faculty members may present a grievance on an issue related to nonrenewal pursuant to Education Code 51.960. This provision does not include employees who hold faculty rank but who spend the majority of their time engaged in managerial or supervisory activities.

The Board designates the Chancellor or designee as the person to whom a faculty member may present a grievance under Education Code 51.960.

Within ten business days after receiving notice of nonrenewal, a faculty member wishing to present a grievance under Education Code 51.960 shall file a request with the Chancellor's office to present the grievance.

A conference shall be scheduled within 15 business days after the request to present a grievance has been filed.

The Chancellor or designee shall hear the grievance at the conference, and may or may not take action or make a recommendation as a result of the conference. If the Chancellor or designee does not take action or make a recommendation on the grievance within 15 business days after the conference, the lack of action upholds the employee's nonrenewal.

*Legal Reference - TACC Policy Reference Manual*  
DMAB(LEGAL) - Term Contracts: Nonrenewal