

Proposed Changes to Handbook – Notice of Non-Renewal

Purpose of Change

The Faculty Affairs Committee is recommending changes to the university's Non-Renewal (NNR) policy to bring the Faculty Handbook into compliance with recent policy updates from the Kansas Board of Regents (KBOR). These updates are necessary to ensure that the university's employment policies reflect the latest standards set by KBOR, particularly regarding non-renewal procedures and faculty employment terms.

In addition to compliance, the Faculty Affairs Committee aims to enhance transparency and fairness in the non-renewal process. The proposed changes focus on providing faculty with earlier notification of non-renewal, improving alignment with grievance procedures, and ensuring that impacted employees have sufficient time to explore alternative employment opportunities. These revisions are intended to protect faculty rights while maintaining alignment with KBOR regulations.

A separate proposal will be handled in parallel to update any references in the Handbook to ensure they are pointing to the correct portion of the revised handbook as a result of proposed numbering changes to sections C160 and C170.

KBOR Policy

The revised KBOR Policy can be found here:

https://www.kansasregents.org/about/policies-by-laws-missions/board_policy_manual_2/chapter_ii_governance_state_universities_2/chapter_ii_full_text#notice

PPM Text

The revised PPM text that was issued July 1, 2024 can be found here:

<https://www.k-state.edu/policies/ppm/4050/index.html>

Current UH Text

<https://www.k-state.edu/provost/policies-resources/university-handbook/fhsecc.html>

Termination of Services

As of July 1, 2024, the procedures for non-reappointment of newly hired non-tenured or non-tenure track unclassified employees on regular appointments (as defined in PPM Chapter 4650, .050 for unclassified appointment types, including unclassified administrative personnel), have been updated and revised as per [Kansas Board of Regents' policy](#). See Kansas State University Policy and Procedures Manual (PPM), [Chapter 4050](#), Notice Procedure for Non-Reappointment effective July 1, 2024.

C160.1 General standards for non-reappointment. The Kansas Board of Regents has adopted The Standards of Notice of Non-Reappointment set forth by the American Association of University Professors in the autumn of 1964. (See [Appendix A](#). Also see AAUP Statement on Academic Freedom and Tenure, [Appendix C](#).)

C160.2 Non-reappointment in the case of financial exigency should not be interpreted as a reflection on the quality of the individual faculty member's performance.

C160.3 The termination for cause of faculty on continuous appointments and non-tenured faculty, who have been appointed on contract for a specified term, before the expiration of that term, shall be reviewed in accordance with the procedure described in [C75](#).

C161.1 Reasons for dismissing faculty and unclassified professionals. Any faculty member or unclassified professional may be recommended for dismissal for:

- Professional incompetence
- Misconduct or unethical behavior
- Persistent violation of university rules and/or policy
- Bona fide financial exigency (See [C162.4](#) and [Appendix B](#).)
- Program discontinuance (See [C162.5](#) and [Appendix K](#).)

C161.2 Tenured faculty members who are dismissed for reasons other than misconduct or unethical behavior, or financial exigency, shall be given written notice by the university 12 months in advance of their separation. Financial exigency has been broadly defined by the Kansas Board of Regents ([Appendix B](#)) with detailed procedures to be defined by each of the Regents' institutions.

C162.1 Dismissing faculty holding tenure. Termination of employment of a tenured faculty member, other than by voluntary resignation or retirement, is extremely rare. In such case the university upholds both the letter and the spirit of the tenure principle of the AAUP ([Appendix C](#)).

C162.2 Faculty members with tenure who are dismissed have a right to a formal hearing under the procedures stated in the Kansas Board of Regents policy on tenure (see [C71-C78](#)). In cases of dismissal for cause, the Procedure for Review of Dismissal of Tenured Faculty in [Appendix M](#) will be followed. In cases of dismissal for reasons of financial exigency the procedures in [Appendix B](#) will be followed. In cases of dismissal for reasons of program discontinuance, the procedures of [Appendix K](#) will be followed.

C162.3 For faculty members whose services are to be terminated before tenure is attained, written notice shall be given to them by the dean of their college, according to the standards and schedule specified in [Appendix A](#).

C162.4 A formal plan to be used in the event financial exigency necessitates the dismissal of tenured faculty members is contained in [Appendix B](#).

C162.5 A formal plan to be used in the event program discontinuance necessitates the dismissal of tenured faculty members is contained in [Appendix K](#).

Continued Employment for Administrative Appointees

C170.1 Individuals may be appointed to regular appointments or to term appointments. A regular appointment is typically made when the need and the funds for the position are expected to continue for the foreseeable future. A regular appointment is made to a budgeted position. A term appointment is typically used when the need or funding for the position is finite and is for a specified term, usually not longer than one year. A term appointment carries no expectation of continued employment beyond the period stated in the contract. Term appointments can be made to either budgeted or non-budgeted positions.

As of July 1, 2024, the procedures for non-reappointment of newly hired non-tenured or non-tenure track unclassified employees on regular appointments (as defined in PPM Chapter 4650, .050 for unclassified appointment types, including unclassified administrative personnel), have been updated and revised as per [Kansas Board of Regents' policy](#). See Kansas State University Policy and Procedures Manual (PPM), [Chapter 4050](#), Notice Procedure for Non-Reappointment effective July 1, 2024.

C170.3 Persons holding regular or term unclassified professional appointments may be terminated without cause, provided that notice is given according to the schedule below. This notice is called notice of non-reappointment.

During the first year of service, the individual must be notified by March 1 if he/she will not be reappointed for the next fiscal year. During the second year, notification of the non-reappointment for the next fiscal year must be made by December 15. Thereafter, the individual must be provided 12 months' notice if he/she will not be reappointed. (The first year of service ends with the fiscal year in which the individual was first appointed, unless the date of the appointment was after September 30. For those whose initial appointment was effective after September 30, the "first year" ends with the fiscal year after the year of appointment. However, in no case shall more than 12 months' notice be required.)

All appointments to term positions will be temporary appointments ending at or before the end of the term. Should need or money for the position be extended, a new term may be established with the approval of the dean or that appropriate vice president. In such instances, the incumbent may be appointed for the new term or a portion thereof without the position being declared open for initiation of a search process.

Redlined UH Text

<https://www.k-state.edu/provost/policies-resources/university-handbook/fhsecc.html>

Continued Employment for Tenure-Track Employees

C160.1 General standards for non-reappointment. The Kansas Board of Regents had previously adopted The Standards of Notice of Non-Reappointment set forth by the American Association of University Professors in the autumn of 1964 for tenure track and non-tenure track appointments. These standards are now only applicable to tenure track positions. (See [Appendix A](#). Also see AAUP Statement on Academic Freedom and Tenure, [Appendix C](#).) For information regarding non-reappointment of non-tenure track faculty appointments, refer to **C170.3-170.7**.

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C161.2 Tenured faculty members who are dismissed for reasons other than misconduct or unethical behavior, or financial exigency, shall be given written notice of the non-reappointment decision by the university 12 months in advance of separation. Financial exigency has been broadly defined by the Kansas Board of Regents ([Appendix B](#)) with detailed procedures to be defined by each of the Regents' institutions.

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C162.3 For tenure-track faculty members whose services are to be terminated before tenure is attained, written notice shall be given to them by the dean of their college, according to the standards and schedule specified in [Appendix A](#).

C162.4 A formal plan to be used in the event financial exigency necessitates the dismissal of tenured faculty members is contained in [Appendix B](#).

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C170.4 Reasons for dismissing faculty and unclassified professionals. Any faculty member or unclassified professional may be recommended for dismissal for:

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C170.5 Term appointments shall not be used to deny personnel the rights and privileges associated with a regular appointment. Term appointments shall require clear justification for why the appointment is not regular.

Final Proposed Text (Clear)

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C162.6 Any administrative decision during the process of a notice of non-reappointment, after the employee is notified, may be appealed through the grievance policy as outlined in Appendix G: Administrative Appeal and Grievance Policy and Hearing Procedures, provided that all other administrative appeals have been exhausted as specified in Section I.

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C170.5 Term appointments shall not be used to deny personnel the rights and privileges associated with a regular appointment. Term appointments shall require clear justification for why the appointment is not regular.

C170.6 Persons holding non-tenure track regular or term appointments may be terminated without cause, provided that the employee is given written notice of the non-reappointment decision by the university 90 days in advance of the service end date specified in the employee's contract.

C170.7 Persons holding non-tenure track regular or term appointments whose position may be subject to non-reappointment are entitled to **know** that a notice of non-reappointment is being contemplated. The university shall provide written notice of the potential for non-reappointment to the employee within 48 hours of the occurrence of any communication regarding the potential for non-reappointment.

- C170.8** Persons holding non-tenure track regular appointments whose position may be subject to non-reappointment are entitled to a formal hearing with the university chief executive officer to determine whether non-reappointment is warranted and, if so, the appropriate period for advance notice of the non-reappointment decision. The formal hearing shall occur no fewer than 9 months prior to the service end date specified in the employee's contract.
- C170.9** Persons holding non-tenure track regular appointments whose position may be subject to non-reappointment are entitled to a reasonable amount of time in advance of the formal hearing with the university chief executive officer to assemble a dossier to argue against non-reappointment and/or to request that the non-reappointment decision be communicated greater than 90 days in advance of the service end date specified in the employee's contract. The employee shall be provided at least 2 months prior to the formal hearing with the university chief executive officer to assemble the dossier.
- C170.10** Any administrative decision during the process of a notice of non-reappointment, after the employee is notified, may be appealed through the grievance policy as outlined in Appendix G: Administrative Appeal and Grievance Policy and Hearing Procedures, provided that all other administrative appeals have been exhausted as specified in Section I.

