

Reinstatement of 12 Months Notice of Non-Reappointment

for consideration at January 28, 2025 Faculty Senate Executive Committee Meeting

- Purpose** To reinstate University Handbook wording on one-year notice of non-reappointment for regular unclassified professionals.
- Basis** Kansas Board of Regents policy, Chapter II.C.7.b grants exceptions in cases where *(3) the employee is in a grandfathered class established by a university prior to July 1, 2023, that provided employees in the grandfathered class a longer notice period.*
- Reasoning** Kansas State University has such a grandfathered class: Namely, all unclassified professionals holding regular appointments.
- Justification** The University Handbook included the following language pertaining to this class of employees prior to the changes passed by Faculty Senate on Dec. 10, 2024. *"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."*
- Grandfather Clause** The statement "*Thereafter, the individual **must** be provided 12 months' notice if he/she will not be reappointed.*" constitutes a grandfather clause. This clause is triggered when the employee is successfully reappointed a second time, and is not retriggered annually. "Thereafter,..." permanently establishes the right to 12 months' notice for each employee. Retroactive changes by KBOR, Faculty Senate, the Provost,... are not indicated as options. After successfully passing the probationary period, the employee "**thereafter... must** be provided 12 months' notice" prior to non-reappointment.
- Need to Revisit** The PPM is now in conflict with the duly established right of these employees to 12 months' notice of non-reappointment. The Handbook must indicate these employees constitute a grandfathered class and continue to be entitled to 12 months' notice of non-reappointment.
- Scope** This proposal does not seek to expand the class of employees requiring 12 months' notice. It simply reinstates the required 12 months' notice for the class of employees receiving 12 months' notice prior to the changes passed by Faculty Senate on December 10, 2024. The terminology "unclassified professionals holding regular appointments" includes employees in many different positions that can also be referred to variously as "faculty" or "staff" and may or may not have teaching duties. Operationally, this applies to all employees holding "regular appointments".