**Hiring and Employment of Temporary, AA/PPS No. 04.01.02**

**Non-Continuing Faculty Issue No. 4**

**Effective Date: 01/12/2024**
**Next Review Date: 02/01/2029 (E5Y)**

**Sr. Reviewer: Senior Vice Provost**

**POLICY STATEMENT**

*Texas State University is committed to recruiting and retaining distinguished faculty.*

**01.** **BACKGROUND**

01.01 The purpose of this document is to describe the guidelines that govern the hiring and employment of temporary, non-continuing faculty, including such elements as rehiring, salary, benefits, orientation, evaluation, and support services. It is Texas State University’s goal to follow these guidelines to the full extent that resources will allow.

01.02 Temporary, non-continuing faculty play an essential role in carrying out the educational mission of this institution. These faculty members are a pool of talent that can enhance the mission of the university. It is therefore critical that the university ensure that this group of faculty members be treated in a fair and equitable manner. The expertise, advice, and participation of temporary, non-continuing faculty members should be sought and encouraged in appropriate departmental matters including, but not limited to, areas such as curriculum development, textbook selection, faculty meetings, and governance. Per-course faculty are not expected to participate in such departmental matters. It should be recognized that temporary, non-continuing faculty benefit the university, department, and students. Additional information on faculty responsibilities and titles is available in [AA/PPS No. 04.01.20](https://policies.txstate.edu/division-policies/academic-affairs/04-01-20.html), Faculty Responsibilities, Definitions, and Titles.

**02. PROVIDING EQUAL EMPLOYMENT OPPORTUNITIES**

02.01 Texas State is committed to assuring all candidates for faculty positions are afforded equal opportunity for consideration and to full compliance with Titles [VI](https://www.justice.gov/crt/fcs/TitleVI-Overview) and [VII](https://www.eeoc.gov/laws/statutes/titlevii.cfm) of the Civil Rights Act of 1964, as amended, [Civil Rights Act of 1991](https://www.eeoc.gov/laws/statutes/cra-1991.cfm), [Executive Order 11246](https://www.dol.gov/ofccp/regs/statutes/eo11246.htm) and its amendments, [Equal Pay Act](https://www.eeoc.gov/eeoc/publications/fs-epa.cfm), [Age Discrimination in Employment Act](https://www.eeoc.gov/laws/statutes/adea.cfm), [Section 503 of the Vocational Rehabilitation Act of 1973](https://www.dol.gov/ofccp/regs/compliance/section503.htm), [Vietnam Era Readjustment Act of 1974](https://www.dol.gov/ofccp/regs/statutes/4212.htm), [Pregnancy Discrimination Act of 1978,](https://www.eeoc.gov/laws/statutes/pregnancy.cfm) [Immigration Reform and Control Act of 1986](https://www.congress.gov/bill/99th-congress/senate-bill/1200), [the Americans with Disabilities Act](https://www.eeoc.gov/laws/statutes/adaaa.cfm), and [The Texas State University System (TSUS) Rules and Regulations](https://www.tsus.edu/about-tsus/policies.html) for maintaining and reporting of employees.

**03. APPOINTMENT TYPES AND RATIONALE**

03.01 Temporary, non-continuing faculty are academic professional faculty and can be appointed in a full-time equivalent (FTE) appointment or as per-course faculty. Temporary, non-continuing faculty are typically lecturers, visiting faculty, and program faculty hired for one semester or one academic year (i.e., not eligible for a term appointment). The hiring or rehiring of retired faculty at any rank is also included in this policy.

a. Temporary, non-continuing faculty may be appointed in an FTE appointment, ranging from 25 percent to 100 percent. Temporary, non-continuing faculty who are hired to teach will generally hold regular office hours, advise students, and grade coursework. The primary expectation for these faculty is quality teaching, although some limited service or related assignment may be appropriate.

b. Per-course faculty are temporary, non-continuing faculty with specialized professional expertise whose salary is calculated on the basis of a flat fee for services rendered. These faculty members are limited to teaching a maximum of two 3- to 4-hour courses per semester. The only exception to this load is the addition of one University Seminar class per semester. Per- course faculty are expected to prepare and teach their classes, grade coursework, and hold limited office hours, normally immediately before or immediately after class. They are not expected to undertake any other departmental assignments. Thus, the only expectation of per-course faculty is effective classroom teaching and other teaching-related functions.

03.02 Departments should annually examine their employment of temporary, non-continuing faculty. It is reasonable to expect these faculty to be employed for the following reasons:

a. emergencies, such as replacements for faculty on leave, faculty who terminate on short notice, or faculty dismissed during the semester;

b. opportunities such as the hiring of nationally recognized scholars, artists, industry professionals, experts who are available for a limited time, or qualified persons with special expertise who will teach when a full-time position is unavailable;

c. necessities, such as responses to changes in student demand and enrollment;

d. employment needs in specialized curricular areas where the available talent pool in the region permits the university to address these needs through temporary, non-continuing employment; and

e. employment of retired faculty members when such employment will benefit both the faculty member and the university. Guidelines for employment of retirees are outlined in [UPPS No. 04.04.51](http://policies.txstate.edu/university-policies/04-04-51.html), Phased Retirement Plan for Faculty.

03.03 The employment of non-continuing faculty based solely on budget constraints because they are less costly to use is strongly discouraged, especially the excessive use of per-course faculty. Departments will regularly examine staffing needs, including temporary, non-continuing faculty through strategic planning, curriculum and program development and planning, academic program reviews, and relevant accreditation reviews. It is imperative for departments to maintain adequate numbers of full-time faculty members as they consider these staffing needs. If it is determined that there is excessive use of temporary, part-time faculty, chairs or directors, and deans should petition the provost and executive vice president for Academic Affairs (EVPAA) for additional full-time positions.

**04. GRADUATE FACULTY**

04.01 Temporary, non-continuing faculty teaching graduate courses or serving on graduate committees are required to meet graduate faculty standards and be approved by the dean of The Graduate College (see [AA/PPS No. 04.01.30](http://policies.txstate.edu/division-policies/academic-affairs/04-01-30.html), Nomination and Evaluation Procedures for Graduate Faculty for more information).

**05. RECRUITMENT PROCEDURES**

05.01 Each academic department should continuously maintain a pool of applicants interested in teaching on a temporary basis (see [AA/PPS No. 04.01.01](http://policies.txstate.edu/division-policies/academic-affairs/04-01-01.html), Faculty Hiring). These prospective faculty members should be recruited through a careful search and screening process.

05.02 Departments should ensure through adequate screening practices that well-qualified temporary, non-continuing faculty are hired. Departments must adopt faculty qualifications policies regarding appropriate special credentials for their areas and defining terminal degrees other than the doctorate, including any required current job-related state, federal, or university license, certification, or other credentials (LCC). An [Employment Justification form](http://gato-docs.its.txstate.edu/provost-vpaa/office-pps-files/hiring/EmploymentJustification.doc) must be submitted for any selected candidate who does not meet the faculty qualifications policy of the hiring unit. The justification must provide clear evidence of the academic coursework, expertise, related work experiences, licensure, awards, or other qualifications that qualify the prospective faculty member to teach particular courses in the department. When determining acceptable qualifications for faculty employed under an employment justification, a department may not rely primarily or solely on “continuous documented excellence in teaching.” Requests for approval will be made on a course-by-course basis.

**06. PROCEDURES FOR HIRING, REHIRING, AND REAPPOINTMENT**

06.01 Based on an assessment of student demand, instructional capacity, and related factors, the chair or director will consult with the dean and the senior vice provost to ensure adequate funding is available to employ temporary, non-continuing faculty.

06.02 Reappointment and rehire are defined as follows:

a. Faculty members are reappointed if they have not been terminated and if they had a faculty appointment the previous semester or summer. Assuming that the favorable annual evaluations cited in Section 06.04 a. are on file in the department, the only paperwork required to reappoint temporary, non-continuing faculty members are the appropriate contracting form and a Personnel Change Request (PCR) form. A PCR is required to reappoint a per-course faculty member. PCRs are not required for FTE appointments unless there is a change in pay, FTE, or cost distribution.

b. Faculty members are rehired if they have been through the separation process. Assuming that the favorable evaluations cited in Section 06.04 a. are on file in the department, the paperwork required to rehire faculty is similar to that of a newly hired faculty member. Prior hiring documents are maintained by Faculty and Academic Resources based on University Records Retention PER 530, – Personnel Files – Faculty, Adjunct. The department should verify which documents are needed to complete a contracting packet for rehired faculty.

06.03 The following guidelines should be used for the hiring of temporary, non-continuing faculty:

a. Hiring of all faculty should be done as early as possible before the start of classes in a particular semester.

b. Normally, all temporary, non-continuing faculty should be hired and assigned classes at least 30 days prior to the start of the semester to allow adequate time to properly prepare for teaching these classes.

c. Only in cases of an emergency, such as unexpected enrollment increases, unexpected vacancies, or similar circumstances, will the provost and EVPAA approve the hiring of temporary, non-continuing faculty with fewer than 30 days remaining before the beginning of classes.

d. Any faculty member hired is required to agree to a criminal background check (see [AA/PPS No. 04.01.10](https://policies.txst.edu/division-policies/academic-affairs/04-01-10.html), Faculty Background Checks and Self-Reporting Requirements for more information).

06.04 The following guidelines should be used for the reappointment or rehiring of temporary, non-continuing faculty:

a. All temporary, non-continuing faculty who have been favorably evaluated by their departments are eligible to be reappointed or rehired.

b. Temporary, non-continuing faculty should be reappointed or rehired on the basis of the defined positions. Thus, these faculty will be hired to fill those positions that are consistent with Section 03.02. Only in extraordinary, justified cases may temporary, non-continuing faculty members who have been favorably evaluated by their department be replaced by a per-course faculty member.

c. Temporary, non-continuing faculty members should normally be reappointed or rehired and informed of the courses they are to teach at least 30 days prior to the beginning of the semester, unless there is an emergency situation. If departments believe that particular faculty members are not doing an adequate job, the chair or director should notify the faculty members that they will not be reappointed.

d. Although temporary, non-continuing faculty are employed on a temporary basis with no expectation of continuing employment beyond a single contract semester or year, the chair or director should attempt to provide early notice of contract renewal or non-renewal.

e. Texas State will not discriminate against any person in employment or exclude any person from participating in or receiving the benefits of any of its activities or programs on any basis prohibited by law, including race, color, national origin, age, sex, religion, disability, veterans’ status, sexual orientation, gender identity, or gender expression. Equal employment opportunities shall include personnel transactions of recruitment, employment, training, upgrading, promotion, demotion, termination, and salary.

**07. PROCEDURES CONCERNING SALARY AND BENEFITS**

07.01 Salary and benefits for temporary, non-continuing faculty should be based on the following criteria:

 a. percentage of FTE;

 b. educational and professional credentials; and

 c. job duties and expectations.

07.02 Temporary, non-continuing faculty appointed on an FTE are paid at the same pro-rata basis as a full-time lecturer or senior lecturer member with equivalent educational background and teaching or professional experience.

07.03 Per-course faculty are paid at a rate to be negotiated with the appropriate administrators. Current base and rate calculations can be found on the [Per- Course Faculty Contracting form](http://gato-docs.its.txstate.edu/jcr%3A61197898-0694-453a-8626-d87d24166b0b/AAPPS_04-01-02_Per%20Course%20Faculty%20Contract.doc).

07.04 Temporary, non-continuing faculty appointed on an FTE are eligible for merit increases. In order to receive salary adjustments, faculty members must meet or exceed departmental expectations. As outlined in departmental annual evaluation, merit, and performance policies, per-course faculty are not eligible for performance or merit increases.

07.05 As salary schedules for full-time faculty are increased, this will by default increase the level of temporary, non-continuing faculty salaries since they are computed on a pro-rata basis. The Academic Affairs Council is encouraged to annually examine the rates paid per course faculty so that those rates remain current.

07.06 Temporary, non-continuing faculty employed less than 50 percent or for less than four and one-half months and per-course faculty are not eligible for the university’s benefit package, sick leave, and retirement plan. Temporary, non-continuing faculty who are employed 50 percent for four and one-half months or more are entitled to the university's benefit package, sick leave, and retirement plan. Benefit administration for retirees is governed in accordance with Section 04.06 of [UPPS No. 04.04.51](http://policies.txstate.edu/university-policies/04-04-51.html), Phased Retirement Plan for Faculty.

07.07 Chairs or directors should inform temporary, non-continuing faculty of available full-time and continuing positions.

07.08 All faculty are encouraged to participate in faculty development activities. Chairs or directors should give consideration for funding developmental activities for temporary, non-continuing faculty that relate to teaching, or related professional duties.

**08. PROCEDURES FOR WHEN A POSITION IS ACCEPTED**

08.01 Each chair or director is responsible for:

* 1. communicating start dates, teaching schedules, office and classroom assignments, computer access, pre-semester orientation, and events;
	2. setting expectations for teaching, research, scholarly, and creative activities, and service responsibilities and workload;
	3. explaining policies and procedures and mandatory training;
	4. providing guidance on faculty development, Division of Research, support services, affinity groups, and opportunities related to the successful integration of the new faculty member in the university, college, and department; and
	5. as applicable, ensuring affected faculty seek formal guidance from International Affairs on immigration-related matters as soon as the selection process concludes. Timely communication with Human Resources is critical to effective and efficient faculty onboarding.

08.02 Each chair or director is also responsible for notifying new faculty members that they are expected to attend New Faculty Orientation sessions at the beginning of the fall or spring semester based on date of hire. If the benefits- eligible faculty member will begin employment out-of-cycle (i.e., other than the 9/1 or 1/16 semester hire dates), they should attend [New Employee Welcome (N.E.W.)](https://www.hr.txst.edu/New-Employee-Welcome/orientation-training.html) to enroll in benefits.

**09. EVALUATION PROCEDURE**

09.01 Each college will develop criteria for annual written evaluation of temporary, non-continuing faculty members based on teaching performance and, if appropriate, service and scholarship (see [AA/PPS No. 04.02.11](https://policies.txstate.edu/division-policies/academic-affairs/04-02-11.html), Performance Evaluation of Non-Continuing Non-Tenure Line Faculty for more information).

**10. SUPPORT SERVICES**

10.01 Temporary, non-continuing faculty should have the same administrative support that is available to other faculty members in the department.

10.02 Temporary, non-continuing faculty should have the same access to departmental equipment as other faculty members in the department.

10.03 Departments should assign temporary, non-continuing faculty members adequate office space where they can prepare for class, counsel students, and store material.

**11. REVIEWER OF THIS PPS**

11.01 Reviewer of this PPS includes the following:

Position Date

Senior Vice Provost February 1 E5Y

**12. CERTIFICATION STATEMENT**

This PPS has been approved by the following individuals in their official capacities and represents Texas State Academic Affairs policy and procedure from the date of this document until superseded.

Senior Vice Provost; senior reviewer of this PPS

Provost and Executive Vice President for Academic Affairs