NON-RENEWAL OF FACULTY APPOINTMENT POLICY

PURPOSE

The purpose of this policy is to define the conditions and the process by which Non-Renewal of Faculty Appointments occur.

POLICY STATEMENT

It is the policy of The University of Texas MD Anderson Cancer Center (MD Anderson) to ensure that Non-Renewals of Faculty Appointments are made on the basis of non-discriminatory reasons, are in accordance with the provisions of The University of Texas System Board of Regents’ Rules and Regulations, and meet notification requirements as described in this policy.

SCOPE

Compliance with this policy is the responsibility of all faculty, trainees/students, and other members of MD Anderson’s workforce.

TARGET AUDIENCE

The target audience for this policy includes, but is not limited to, full and part-time faculty at all academic ranks.

DEFINITIONS

Academic Year: September 1st through August 31st.

Clinical Faculty Appointment (CFA): Faculty appointment focusing on clinical service quality and productivity which does not award term tenure or count toward probationary time on the term tenure track.

Faculty Coaching and Development Resources: Opportunities available to faculty and faculty leaders to acquire skills or training to address specific issues or problems that might impact employment. Coaching and other educational activities are designed to provide interpersonal, managerial, or leadership training to address specific problems. (See Faculty Coaching and Development Policy (UTMDACC Institutional Policy # ACA0042).)

Non-Renewal of Faculty Appointment: The decision to not renew a faculty appointment past the end of a stated appointment period with prior notification. Non-Renewal of Faculty Appointment is separate and distinct from actions affecting clinical privileges or medical staff membership. (See Bylaws of the Medical Staff.) Non-Renewal of Faculty Appointment will be with notification, reasons provided, and in accordance with policy and procedure.

Notification of Non-Renewal of Faculty Appointment: Written notice given by the Chief Academic Officer (CAO) or his/her designee to a faculty member within a specified timeframe (see Section 2.0, Timeline For Notification of Non-Renewal of Faculty Appointment) notifying the faculty member that...
his/her faculty appointment will not be renewed at the end of a stated appointment period and briefly stating reason(s) reappointment will not occur.

The notice required by this policy is not applicable in termination of employment for good cause shown. (See Termination of Employment of a Faculty Member Policy (UTMDACC Institutional Policy # ACA0059).)

**Research Faculty Appointment (RFA):** Faculty appointment focusing on a collaborative research role which does not award term tenure or count toward probationary time on the term tenure track.

---

**PROCEDURE**

**1.0 Recommendation For Non-Renewal of Faculty Appointment**

1.1 Reasons For Non-Renewal of Faculty Appointment, Include But Are NotLimited To:

A. Loss Of Funding for a Research Faculty Appointment (RFA) Position

When loss of funding to support an RFA position is the reason for recommendation for Non-Renewal of Faculty Appointment, documentation should be provided indicating no other appropriate funding source(s) is(are) available to support the position.

B. Inappropriate Behavior or Poor Performance

- For issues concerning inappropriate behavior or poor performance, the problems, goals, and success measures for improvement should be documented in annual faculty appraisals or interim memoranda to faculty member(s) and/or files.

- Faculty Coaching or Development Resources may be provided to faculty before a recommendation for non-renewal of appointment is made. See Faculty Coaching and Development Policy (UTMDACC Institutional Policy # ACA0042).

C. Failure To Achieve And Maintain Required Professional Credentials or Licensures

D. Inability To Maintain Appropriate Work Authorization (Visa)

1.2 Required Documentation

A. The Department Chair sends a written memorandum recommending Non-Renewal of Faculty Appointment through the Division Head, if applicable, to Academic & Visa Administration – Faculty (AVA-Faculty).

B. The memorandum should be sent 30 calendar days prior to the required notification period (see Section 2.0) for Non-Renewal of Faculty Appointment and includes:

- Reasons for recommendation; and

- Documentation to support recommendation.
2.0 Timeline For Notification of Non-Renewal of Faculty Appointment

2.1 Minimum Required Notice

Minimum required notice of Non-Renewal of Faculty Appointment will vary by tenure status and time as a faculty member.

2.2 Notification Timeline For Clinical Faculty Appointment (CFA) or RFA Faculty

A. A CFA or RFA faculty member with less than two years as an MD Anderson faculty member requires a minimum notification of 90 days prior to end of his/her current appointment period.

B. A CFA or RFA faculty member with two years or greater as an MD Anderson faculty member requires a minimum notification of six months prior to end of his/her current appointment period.

2.3 Notification Timeline For Non-Renewal or Removal From Term Tenure Track Faculty Appointment:

A. First Year of Term Tenure Track Faculty Appointment

A faculty member in the first year of a term tenure track appointment requires a minimum notification of six months prior to end of his/her current appointment period, \( i.e. \), notification must be issued on or before March 1\textsuperscript{st} of the current Academic Year.

B. Second Year of Term Tenure Track Faculty Appointment

A faculty member in the second year of a term tenure track appointment requires a minimum notification of eight and a half months prior to end of his/her current appointment period, \( i.e. \), notification must be issued on or before December 15\textsuperscript{th} of the current Academic Year.

C. Third Through Sixth Year of Term Tenure Track Faculty Appointment

A faculty member in the third through sixth year of a term tenure track appointment requires a minimum notification of 12 months prior to end of his/her current appointment period, \( i.e. \), notification must be issued on or before July 1\textsuperscript{st} of the current Academic Year in order for the Non-Renewal action to be effective on September 1\textsuperscript{st} of the next Academic Year.

2.4 Notification Timeline For Non-Renewal of Term Tenure Faculty Appointment or Termination at End of Term Tenure Faculty Appointment:

Sixth Year of Term Tenure Faculty Appointment:

A faculty member in the sixth year of a term tenure faculty appointment requires a minimum notification of 12 months prior to end of his/her current appointment period, \( i.e. \), notification must be issued on or before July 1\textsuperscript{st} of the current Academic Year in order for the Non-Renewal action to be effective on September 1\textsuperscript{st} of the next Academic Year.
2.5 Notification Timeline For Non-Renewal of Multi-Year Faculty Appointment Award:

Third Year of Three-Year Award:

A faculty member in the third year of a three-year Multi-Year Faculty Appointment Award requires a minimum notification of six months prior to end of the appointment award period.

3.0 Notification To the Faculty Member

A. The Department Chair meets with the faculty member in person to discuss the reason(s) for Non-Renewal of his/her appointment.

B. AVA-Faculty mails electronic and written notification of Non-Renewal of Faculty Appointment to the faculty member advising that his/her appointment will not be renewed and employment will end on a dated specified in accordance with the required notification period. (See Section 2.0.)

C. In most cases, the faculty member has the right to appeal Non-Renewal of Faculty Appointment. (See Faculty Appeal Policy (UTMDACC Institutional Policy # ACA0041).)
ATTACHMENTS / LINKS

Bylaws of the Medical Staff.
Institutional Code of Conduct.

RELATED POLICIES

Faculty Appeal Policy (UTMDACC Institutional Policy # ACA0041).
Faculty Coaching and Development Policy (UTMDACC Institutional Policy # ACA0042).
Faculty Financial Exigency Policy (UTMDACC Institutional Policy # ACA1117).
Faculty Standards of Conduct Policy (UTMDACC Institutional Policy # ACA0043).
Voluntary Faculty Separation Policy (UTMDACC Institutional Policy # ACA0031).
Termination of Employment of a Faculty Member Policy (UTMDACC Institutional Policy # ACA0059).

JOINT COMMISSION STANDARDS / NATIONAL PATIENT SAFETY GOALS

None.

OTHER RELATED ACCREDITATION / REGULATORY STANDARDS

The University of Texas System Board of Regents’ Rules and Regulations.
The University of Texas System Rules and Regulations of the Board of Regents, Series 31002, Notice of Non-Renewal of Non-Tenured Faculty Members.

REFERENCES

None.
POLICY APPROVAL

Approved With Revisions Date: 04/22/2017
Approved Without Revisions Date:
Implementation Date: 04/22/2017
Version: 24.0

RESPONSIBLE DEPARTMENT(S)

Academic & Visa Admin: Faculty Academic Affairs