

BILL ANALYSIS

Senate Research Center

C.S.H.B. 1127
By: Rangel (Bivins)
Education
5/4/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

In some cases, full-time members of the faculty at public institutions of higher education, both non-tenured and tenured, do not receive a contract or employment agreement from the administration until after the start of the academic year. Texas law does not currently address the date by which an institution of higher education must issue a contract or employment agreement to faculty members. C.S.H.B. 1127 provides standards governing the dates by which institutions of higher education must issue contracts or employment agreements to full-time faculty members.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 51Z, Education Code, by adding as follows:

Sec. 51.943. RENEWAL OF FACULTY EMPLOYMENT CONTRACTS. (a) Defines “contract” and “faculty member.” Defines “institution of higher education.”

(b) Requires an institution of higher education that determines it is in its best interest to reappoint a faculty member for the next academic year, except as provided in Subsection (c), to offer the faculty member a written contract for that academic year not later than a certain date.

(c) Provides that for purposes of this section, an institution of higher education is not required to provide an annual contract to tenure or tenure-track faculty, but must provide tenure and tenure-track faculty with any written notification required in the institution’s tenure policy of a change in a term of employment according to the policies of the institution, but no later than the 30th day prior to the change.

(d) Requires the institution, if the institution of higher education is unable to comply with Subsection (b), to perform certain procedures.

(e) Requires the institution, if it does not offer the faculty member a written contract before a certain date of the academic year and the institution retains the faculty member for that academic year without a written contract, to retain the faculty member for that academic year under terms and conditions, including terms governing the faculty member’s employment for the preceding academic year, unless the institution and the faculty member subsequently enter into a different written contract.

(f) Provides that this section does not prohibit an institution of higher education from

entering into a contract with a faculty member for a period longer than an academic year.

(g) Requires that nothing in this section be deemed to provide a faculty member who does not hold tenure additional rights, privileges or remedies or to provide an expectation of continued employment beyond the period of a faculty member's current contract.

SECTION 2. Effective date: January 1, 2002.

Provides that this Act applies only to a contract for an academic year that begins after January 1, 2002.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Amends As Filed H.B. 1127 by amending proposed Chapter 51Z, Section 51.943, Education Code.

SECTION 2. No change.