

CAS Guidance about Criteria for Instructional NTTF Nonrenewal

Notification of Nonrenewal

Official notification of contract nonrenewal comes from the Dean's Office. The unit performs the contract review and makes a recommendation to the dean but does not make the decision or provide official notification to the faculty member.

Nonrenewal Policy in the CBA

Nonrenewal of any personnel is a difficult and painful task, and we have an obligation to be respectful and as transparent as possible. In the case of Career NTTF, Article 16 of the Collective Bargaining Agreement with United Academics is the starting point for understanding our obligations in the process for appointing, renewing, or nonrenewing faculty members.

Pro-tem NTTF and Career NTTF bargaining unit faculty members who have not yet been promoted may be nonrenewed, at the discretion of the University, pursuant to the timelines provided for in Section 1 of Article 16 of the CBA. For nonrenewal of Career NTTF who have been promoted, the CBA (Section 2 of Article 16) further requires that the nonrenewal be due to one or more of the following reasons:

- (a) Failure to meet the standards of excellence at a major research university, as determined through the procedures developed in accordance with Article 19; or
- (b) Inadequate resources within the unit or department to continue funding the bargaining unit faculty member's position; or
- (c) Pedagogical or programmatic reasons, including but not limited to departmental adjustments necessary to accommodate graduate students; or
- (d) Replacement of the NTTF position(s) with a Tenure-related position.

For all nonrenewals, the university (not the unit) will provide a written statement documenting the reason for the nonrenewal at the time of notice. In CAS, this statement will come from the Dean's Office after the decision has been approved by the Office of the Provost and Academic Affairs.

The notice of nonrenewal is different from the contract review that could lead to a notice of nonrenewal. The guidance below pertains to contract *reviews*.

Nonrenewal Review and Recommendation

All Career NTTF faculty in the last year of their contract should have a contract review in line with your unit policies. These reviews, outlined in Article 19, Sections 3-5 of the CBA, evaluate the faculty member's performance and make clear whether the performance meets, does not meet, or exceeds expectations. Such an evaluation will document whether the candidate's performance supports the renewal of a contract, but performance is only one factor in a contract renewal/nonrenewal decision.

Contract renewal depends upon factors including a positive performance review, instructional need, and financial resources. A poor performance review is a sound basis for a nonrenewal. If performance meets or exceeds expectations, the head's or director's review letter should state that the faculty member's "performance during the review period [meets or exceeds] expectations," but

performance reviews should not make recommendations or promises about contract renewal.

A review must evaluate performance but cannot guarantee a new contract.

Criteria for Making Nonrenewal Recommendations to the Dean

If nonrenewals are needed or contemplated due to financial or programmatic reasons, we encourage your unit to follow established criteria for recommending which faculty should be nonrenewed. If your unit policies do not already include criteria, you should be guided by some or all of these principles:

- Curricular need and area of specialization/experience
- Quality of performance (evaluated through peer reviews, performance evaluations on record, student evaluations, and any other means the unit regularly uses to evaluate teaching performance)
- Memoranda of Understanding or prior written agreements
- Credentials
- Seniority, when performance quality and curricular need do not offer a clear distinction among candidates

All personnel recommendations should be based on criteria related to the position and should exclude considerations that are not relevant to the duties of the position.

The criteria used to decide which faculty to recommend for nonrenewal should be documented.

If there is a unit personnel or review committee advising the head or director, colleagues whose contracts may be affected by nonrenewals should not serve on this committee.