

BILL ANALYSIS

Senate Research Center

H.B. 1127
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Business & Commerce
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Engrossed

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. 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, as follows:

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

(b) Requires an institution of higher education that intends to retain a faculty member of the institution for the next academic year to offer the faculty member a written contract for that academic year not later than a certain date.

(c) Requires the institution, if it is unable to comply with Subsection (b), to notify the faculty member by letter sent by certified mail to the faculty member’s home address that the institution will not comply with Subsection (b). Requires the letter to state the reasons for the institution’s inability to comply with Subsection (b) and to specify a time by which the institution will offer a written contract to the faculty member for the applicable academic year.

(d) 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 compensation, that are at least as favorable to the faculty member as the terms and conditions that governed the faculty member’s employment for the preceding academic year, unless the institution and the faculty member subsequently enter into a different written contract.

(e) 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.

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.