

9.2 Termination of Exempt, Non-Tenure-Track Faculty Members

9.2.1 Teaching Faculty

Mines may decide to non-renew the appointment of a teaching faculty member without cause. Subject to the limitations set forth in Colorado Revised Statutes §24-19-104, a teaching faculty member whose contract will be non-renewed for the subsequent academic year by Mines shall be notified of that fact in a letter from the Provost delivered according to the timetable set forth below:

Years of Service	Non-Renewal Notification Requirement
During first academic year of Mines appointment	Annual contract with non-renewal notification for next academic year by April 1
During second academic year of Mines appointment	Annual contract with non-renewal notification for next academic year by December 15
Third academic year and beyond	Two-year contract, renewed annually, with non-renewal notification by August 1

A teaching faculty member's employment contract may be rendered unenforceable and is subject to termination without advance notice if, during the term of the faculty member's appointment, Mines:

- A. Ceases to be an enterprise, as defined in Section 20(2)(d) of Article X of the State Constitution; and
- B. Lacks present cash reserves sufficient to pledge irrevocably to satisfy the terms of the contract.

9.2.2 Other Non-Tenure-Track Faculty Members

All other exempt, non-tenure-track faculty members may be terminated by Mines at any time. While it is Mines' intention to treat these faculty members fairly and communicate performance deficiencies to them in a timely manner, it is not a requirement that communication of performance deficiencies must occur prior to termination. A decision to terminate an exempt, non-tenure-track faculty member may only be made by the President, Provost, or a vice president following appropriate consultations with an attorney from the Office of Legal Services and the Associate Vice President for Human Resources.