

ARTICLE 6 – APPOINTMENT & PROMOTION

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6.1 General Principles.

- 24 (a) The University and UFF recognize that Florida Polytechnic University is a new institution, and as such, both parties accept that flexibility is required as we develop an excellent faculty through the process of appointment and promotion. The University and UFF share the desire to improve the quality of the University in all areas, but particularly in the execution of teaching, research, and service by the faculty. This article balances a recognition of the University’s unique history, newness, and current situation with a shared desire for continuous improvement.
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- 31 (b) Faculty are defined as individuals whose primary responsibilities include teaching, service, and where applicable, research. Faculty included in this contract are designated by ranks of Instructor, Senior Instructor, Distinguished Instructor, Professor of Practice, Assistant Professor, Associate Professor, and Professor.
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- 35 (c) The University and UFF further recognize that reappointment and promotions are an important method by which the University recognizes excellence and rewards its employees’ contributions to advancing the mission of the University.
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- 38 (d) Reappointment and promotion decisions are not determined by any sole factor and
39 are based upon a careful and rigorous assessment that relies upon faculty and
40 administrative review of:
- 41 (1) a faculty member’s demonstrated teaching, scholarship, research service
42 contributions, and other work duties, as relevant, at the University;
- 43 (2) the assessment of the faculty member’s continued positive contribution to
44 their department and the University, and;
- 45 (3) the faculty member’s potential for continued appropriate contributions and
46 growth.
- 47 (e) Elements critical to the promotion process include, but may not be limited to:
- 48 (1) a faculty member’s annual performance evaluations;
- 49 (2) a significant and careful review of credentials by a set of faculty that hold
50 at least the rank sought by the Candidate;
- 51 (3) an external set of recommendations appropriate for that faculty member
52 (excluding instructors and academic professionals) by subject matter
53 experts in the Candidate’s field, and;
- 54 (4) administrative review.
- 55 (f) Every Candidate for reappointment and/or promotion will be fairly evaluated, and
56 the evaluation process will be maintained to the highest degree of integrity.
- 57 (g) Non-reappointments shall not be made in an arbitrary or capricious manner.
- 58 **6.2 Employment Contract.**
- 59 (a) All appointments will be made on the University employment contract and signed
60 by the President or designee, and the employee.
- 61 (b) No appointment or assignment will create any right, interest, or expectancy in any
62 other appointment or assignment beyond its specific terms, except as provided in
63 this Agreement.
- 64 (1) No special commitment or conditions offered to new hires shall bind the
65 University indefinitely.
- 66 (2) A special commitment or condition will be observed unless it is no longer
67 financially or logistically feasible or circumstances have changed enough
68 that it is no longer in the legitimate interests of the University.
- 69 (3) If the university decides not to observe a special commitment or condition,
70 the university will inform the employee in a timely manner. Upon the
71 employee’s request, the university will provide a written justification of its
72 decision not to observe the special commitment or condition.
- 73 (c) Appointments expire on the date set forth in the faculty member’s employment
74 contract. No further notice of cessation of employment is required, unless otherwise

75 provided in this Agreement.
76 (d) If the University intends to offer a faculty member reappointment, the University
77 will inform the faculty member by ~~August 15~~~~May 15~~ June 30 following the
78 academic year in which the reappointment review was conducted.

79 (e) Resignation.
80 (1) An employee who wishes to resign has the professional obligation, when
81 possible, to provide the University with sufficient notice to avoid
82 scheduling and classroom disruptions or, where the employee does not have
83 an instructional assignment, a minimum of four (4) weeks' notice.
84 (2) Upon resignation, all consideration for reappointment and promotion will
85 cease.

86 **6.3 Faculty Appointment and Reappointment Contract Duration.**

87 (a) Contract duration for faculty appointments and reappointments are as follows:

88 (1) Instructor
89 a. Initial Contract duration: two (2) years
90 b. Reappointment Contract duration: two (2) years.
91 c. Promotion Contract duration: Faculty promoted from Instructor to
92 Senior Instructor shall receive an initial appointment contract
93 duration of (3) years.

94 (2) Senior Instructor
95 a. Initial contract duration: three (3) years.
96 b. Reappointment contract duration: three (3) years.

97 (3) Distinguished Instructor
98 a. Initial contract duration: ~~three~~ five (5) years.
99 b. Reappointment contract duration: ~~three~~ five (5) years.

100 (4) Professor of Practice
101 a. Initial contract duration: three (3) years.
102 b. Reappointment contract duration: three (3) years.

103 (5) Assistant Professor.
104 a. Initial Contract Duration: three (3) years.
105 b. Reappointment Contract Duration: three (3) years.
106 c. Promotion Contract duration: Faculty members promoted from
107 Assistant to Associate Professor shall receive an appointment
108 Contract duration of six (6) years

- 109 ~~(4)~~(6) Associate Professor
- 110 a. Initial Contract Duration: three (3) years, unless the University
- 111 determines that an initial term of four (4) or five (5) years is
- 112 appropriate or warranted. The reason for a longer initial term shall
- 113 be provided to the UFF upon request.
- 114 b. Reappointment Contract Duration:
- 115 1. Three (3) years based upon a Preliminary Review (see
- 116 Section 6.7(a)(1)).
- 117 2. Six (6) years based upon a Full Review (see Section
- 118 6.7(a)(2)).
- 119 c. Promotion Contract Duration: Individuals promoted from Associate
- 120 Professor to Professor shall receive an appointment term of six (6)
- 121 years.

- 122 ~~(5)~~(7) Professor
- 123 a. Initial Contract Duration: six (6) years, unless the University
- 124 determines that it is in its best interest to offer an initial contract with
- 125 a three (3) to five (5) year duration.
- 126 b. Reappointment Contract Duration: six (6) years when based upon a
- 127 Full Review (see Section 6.7(a)(2)).

128 **6.4 Reappointment and Promotion Review Eligibility and Requirements.**

- 129 (a) Faculty are eligible for Reappointment and Promotion Reviews during the
- 130 following periods:

- 131 (1) Instructor
- 132 a. Reappointment Cycle: two (2) years. Instructors receive an
- 133 Instructor’s Review during the spring semester of the final year of
- 134 their initial appointment and a biennial instructor’s review
- 135 (occurring every two years) thereafter.
- 136 b. Individuals whose employment did not start at the beginning of the
- 137 fall semester will have their Instructor’s Review delayed to the first
- 138 spring semester following the completion of a minimum of four (4)
- 139 full, contiguous fall and spring semesters following their initial
- 140 appointment.

- 141 (2) Senior Instructors
- 142 a. Reappointment Cycle: three (3) years after Promotion or initial
- 143 contract – ~~Senior Instructor’s receive an~~ Instructor’s Review during
- 144 the spring semester of the ~~third (3rd) year after their first promotion~~
- 145 ~~period (6th full semester as a Senior Instructor)-final year of their~~
- 146 ~~contract as described in section 6.9.~~

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(3) Distinguished Instructor

a. ~~Reappointment Cycle: threefive (35) years after Promotion or initial contract – Distinguished Instructor’s receive an Instructor’s Review during the spring semester of the third (3rd) year after their first promotion period or initial appointment (6th full semester as a Distinguished Instructor)final year of their contract as described in section 6.9.~~

(4) Professor of Practice

a. ~~Reappointment Cycle: three (3) years after Promotion or initial contract – Professor of Practice receive an Instructor’s Review during the spring semester of the third (3rd) year after their first promotion period or initial appointment (6th full semester as a Professor of Practice)final year of their contract as described in section 6.9.~~

(3)(5) Assistant Professor

- a. Preliminary Review** (see 6.7(a)(1)).
 1. Preliminary Review for reappointment begins at the start of the first spring semester following the completion of a minimum five (5) full, contiguous semesters at the current appointed rank.
 2. Individuals whose employment did not start at the beginning of the fall semester will have their Preliminary Review delayed to the first spring semester following the completion of a minimum of five (5) full, contiguous semesters following their initial appointment.
 3. May only be reappointed once and must apply, consistent with the start of the process in the fall semester, for promotion no later than at the completion of six (6) academic years (fall to spring).
 4. However, if hired prior to June 1, 2017, such faculty must apply for promotion to Associate Professor no later than the last year of their three-year reappointment term.
- b. Promotion**
 1. Assistant Professors must be promoted to Associate Professor by the end of their second (2nd) reappointment term, noting Section ~~6.4(a)(5)a.36.4(a)(3)a.3~~ above, in order to receive a contract with a duration greater than a single terminal year.
 2. The University may, at its sole discretion, permit a faculty

- 186 member to delay promotion review by granting a maximum
- 187 one (1) year extension at this rank due to a valid request for
- 188 FMLA or other appropriate leave.
- 189 3. Other extensions must be formally agreed upon in writing by
- 190 both the FPU-BOT and UFF-FPU.
- 191 4. In order to be considered for promotion, a faculty member
- 192 must have a Full Review as described in Section 6.7(a)(2).

~~(4)(6)~~ Associate Professor

- 193
- 194 a. Preliminary Review (see Section 6.7(a)(1)).
- 195 1. Preliminary review for reappointment is only available to
- 196 Associate Professors as their first review after their initial
- 197 appointment if their initial appointment is less than six (6)
- 198 years.
- 199 2. Preliminary Review for reappointment begins at the start of
- 200 the spring semester of the final year of their contract.
- 201 b. Full Review (see Section 6.7(a)(2)).
- 202 1. Except as described in Section ~~6.4(a)(6)a.16.4(a)(4)a-1~~, Full
- 203 Reviews are required for reappointment of Associate
- 204 Professors and must be completed before the expiration date
- 205 of a Candidate's existing contract.
- 206 (I) If an Associate Professor is reappointed based on a
- 207 preliminary review, all subsequent reappointment
- 208 reviews are based upon a Full Review.
- 209 2. The Full Review may be used, at the Candidate's election,
- 210 to also request promotion to the rank of Professor.

~~(5)(7)~~ Professor

- 211
- 212 a. Reappointment is based upon a Full Review (see Section 6.7(a)(2)).

6.5 Promotion Categories and Eligibility Criteria for Faculty.

- 213 (a) Subject to the requirements set forth herein, faculty holding the rank of Instructor,
- 214 Assistant Professor and Associate Professor shall be eligible to apply for promotion
- 215 to the next higher rank.
- 216

(b) Professional Ranks:

- 217 (1) Instructor to Senior Instructor.
- 218
- 219 ~~a. Senior Instructors are at their highest rank possible and cannot be~~
- 220 ~~promoted to Assistant Professor.~~
- 221 (2) Senior Instructor to Distinguished Instructor.

222 a. Distinguished Instructors are at their highest rank possible and
223 cannot be promoted.

224 (3) Professor of Practice.

225 a. Professors of Practice are at their highest rank possible and cannot
226 be promoted.

227 ~~(2)~~(4) Assistant to Associate Professor.

228 ~~(3)~~(5) Associate Professor to Professor.

229 (c) Notice of Intent. Faculty that seek promotion must declare their intent to seek
230 promotion in writing to the Provost and their Department Chair ~~or Division Director~~
231 ~~(if applicable)~~, no later than the start of the fall semester in the academic year in
232 which they will seek promotion.

233 (d) Minimum Qualifications.

234 (1) Faculty (including Instructors) must serve at least five (5) academic years
235 at their current (or higher) rank in order to qualify for promotional
236 consideration to a higher rank.

237 (2) At least two (2) of the five (5) immediately preceding academic years must
238 be served at the University.

239 (3) The University, at its discretion, may provide exceptions to these minimum
240 qualifications upon request of a faculty member and approval of their Chair,
241 Director (when a Director is present), and the Provost or designee.

242 **6.6 Reappointment and/or Promotion Materials for Assistant Professors, Associate**
243 **Professors, and Professors.** (Note: Instructors see Section 6.9)

244 (a) The candidate submits a “dossier” in support of their reappointment or promotion.

245 (b) The promotion “packet” is the body of material that includes the dossier, letters of
246 reference if required, any supplemental information considered by the committees
247 or Provost and the candidate’s response to that supplemental information, and
248 committee recommendations as specified by the process.

249 (c) Candidate Prepared Dossier. A Candidate for reappointment or promotion must
250 prepare a dossier for consideration, which must include: a personal statement from
251 the Candidate and elements that show the Candidate’s demonstrated abilities and
252 competencies in teaching, service, and research—including: performance reviews
253 received since their last reappointment if applicable (if not, all performance reviews
254 received); ~~faculty activity reports from two (2) prior years of employment at the~~
255 ~~University.~~

256 (d) Faculty Dossier contents:

257 (1) The faculty dossier is prepared by the faculty member and, within the
258 boundaries of the specified format, must show the candidate’s competencies
259 in teaching, service, and research.

Commented [CL3]: This requirement seems unnecessarily redundant. It’s not clear what it adds.

260 (2) Intentional or significant misrepresentations contained in the Candidate’s
261 dossier shall serve as just cause for termination pursuant to Article 9 –
262 Discipline.

263 (e) Faculty Dossier format.

264 (1) The Provost shall develop the format and guidelines for the Candidate
265 Prepared Dossier and send them to the Faculty Representative Council
266 (“FRC”) for review and comment by February 15 of the spring semester in
267 even numbered calendar years.

268 a. The FRC shall review, within fourteen (14) days of receipt, the
269 format and guidelines and shall recommend approval or changes to
270 the Provost.

271 b. Should the FRC recommend changes, the Provost shall, within ten
272 (10) days, either accept the changes or give a written justification
273 for not accepting the changes.

274 (2) The Candidate Prepared Dossier must follow the final format as finalized
275 by the Provost and faculty are solely responsible for the content within, and
276 production of, the dossier. Review committees may choose to not consider
277 a dossier which does not substantially follow the required format. ~~However,
278 minor deviations from the format shall not be considered as grounds for
279 denying reappointment or promotion.~~

280 (f) Reference Letters.

281 (1) Reference letters are required for Promotion Reviews and Full Reviews.

282 (2) Reference letters are added to the faculty dossier by the provost’s office and
283 become a part of the reappointment or promotion packet.

284 (3) Letters are not required for promotion to Senior Instructor.

285 (4) Reference letters are confidential and will be requested using a template that
286 instructs the external reviewer regarding the materials supplied, and any
287 special considerations, including the University’s history, teaching
288 expectations, and research infrastructure. This template will be developed
289 according to and as part of the process laid out in Section 6.6(f)(6).

290 (5) Requesting Reference Letters.

291 a. A minimum of four (4) reference letters must be requested.

292 b. The Candidate “nominates” up to four (4) individuals to provide
293 reference letters.

294 c. The Department Evaluation Panel formally requests all external
295 reference letters, which shall include at a minimum two (2)
296 individuals nominated by the Candidate, and a minimum of two (2)
297 letters from individuals not nominated by the Candidate.

Commented [CL4]: This issue seemed to cause a good deal of consternation for faculty members.

- 298 (6) Request for Reference Letter template
- 299 a. The Provost (or designee) will draft a letter that specifies what
- 300 materials will be provided to the external referee and provide the
- 301 letter to the University Evaluation Committee.
- 302 b. The University Evaluation Committee will review the draft, make
- 303 appropriate revisions, and provide the final draft of the letter to the
- 304 Department Evaluation Panel for distribution.
- 305 (7) The confidential reference letters shall be included for review with
- 306 Candidate’s dossier and any supplemental materials.
- 307 a. A list of the names of all individuals asked to provide a review and
- 308 whether any declined to provide this review, and reason given, if
- 309 any, will also be included in the Packet.

310 **6.7 Reappointment and/or Promotion Process: Types, Notices, and Committee**

311 **Memberships for Assistant Professors, Associate Professors, and Professors.**

- 312 (a) Types of Review Processes.
- 313 (1) Preliminary Review.
- 314 a. A review that does not include external letters and is only conducted
- 315 by the Department Evaluation Panel (as described below in Section
- 316 6.7(c)).
- 317 b. Results of this review are provided directly to the Provost for
- 318 consideration.
- 319 (2) Full Review.
- 320 a. A review that includes external letters and is conducted by the
- 321 Department Evaluation Panel, then the University Evaluation
- 322 Committee (as described below in Section 6.7(d)).
- 323 b. Results of the reviews are then provided to the Provost for
- 324 consideration, except in Sections ~~6.7(d)(2)d~~ &
- 325 ~~6.8(c)(5)a~~ ~~6.8(e)(5)a~~, in which the results of the reviews are directly
- 326 provided to the President for consideration.

- 327 (b) Notice of Review Requirement
- 328 (1) Individuals that require a Preliminary Review (as specified in Section
- 329 6.7(a)(1)), due to their appointment expiring in the coming year, will be
- 330 notified of the requirement for review no later than December 10, prior to
- 331 the spring semester in which their review must be completed.
- 332 (2) ~~Before the start of the fall semester in By May 1~~ The day after final grades
- 333 are due prior to the academic year when an individual must seek
- 334 reappointment, the University will provide notice to professors who:

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Commented [CL5]: We selected this date because faculty to whom it applies will still be on contract and more likely to be engaged on a daily basis with University communications.

- 335 a. must apply for promotion from Assistant to Associate Professor to
- 336 maintain their appointment, or;
- 337 b. must participate in a Full Review to renew their appointment.
- 338 (3) ~~The Notice referenced in 6.7 (b) (3) Notice from the University will provide~~
- 339 ~~information relevant to the applicable reappointment/promotion process~~
- 340 ~~including instructions. The format and guidelines for the Candidate~~
- 341 ~~Prepared Dossier, the Promotion or Reappointment Criteria, and deadlines~~
- 342 ~~(the "Notice") will be provided to the candidate within two weeks of their~~
- 343 ~~formal notification that must participate in a Full Review.~~
- 344 (4) Within fifteen (15) days of receiving the Notice referenced in 6.7 (b) (3),
- 345 eligible professors will inform the University of their election to apply for
- 346 promotion or proceed with reappointment.
- 347 (5) Candidates for reappointment or promotion shall provide the University
- 348 with their dossier by the deadline set forth in the Notice referenced in 6.7
- 349 (b) (3)referenced herein. Such deadline shall not be earlier than
- 350 OctoberSeptember -10.
- 351 (c) Department Evaluation Panel ("DEP") Membership
- 352 (1) DEP Chair.
- 353 a. The Department Chair serves as the chair of the DEP if the
- 354 Department Chair holds the appropriate faculty appointment rank.
- 355 b. If the Department Chair does not hold the appropriate rank, the
- 356 Provost will appoint a chair for the DEP.
- 357 (2) DEP Membership.
- 358 a. For reviews of Assistant and Associate Professors, the DEP shall
- 359 consist of faculty of a higher rank than the Candidate within ~~the~~
- 360 ~~Candidate's division, or if no division is present, within~~ the
- 361 Candidate's department. When there are an insufficient number of
- 362 faculty to meet the minimum requirements for a DEP, the process
- 363 below will be used to form a DEP.
- 364 b. There must be a minimum of five (5) qualified (appropriately
- 365 ranked) individuals serving on the DEP.
- 366 1. If the number of individuals available to serve on the DEP is
- 367 less than five (5), the Provost and DEP Chair will each select
- 368 a faculty member or, if necessary, two (2) faculty members
- 369 of appropriate rank from another unit at the University to
- 370 serve on the DEP.
- 371 c. Individuals that are in the terminal year of their employment
- 372 contract (as a result of non-reappointment, resignation, or layoff) or
- 373 those who received "Needs Improvement" or "Deficient" (or

Commented [CL6]: Revised in an effort to reduce conflation between the reappointment dossier and activity report formats.

374 “Unsatisfactory”) in their most recent performance evaluation are
375 not eligible to serve on the DEP, regardless of any pending
376 grievance to challenge such evaluation (See Section 11.11(a)).

377 **d.** A faculty member who is a Candidate for Reappointment may serve
378 on the DEP only with the approval of the Provost and DEP Chair.

379 **(d)** University Evaluation Committee (“UEC”) Membership.

380 **(1)** UEC Membership.

381 **a.** The UEC is appointed by the Provost from those holding the rank
382 “Professor” from a nomination pool provided by the Faculty
383 Representative Council; however, if there are fewer than eight (8)
384 qualified individuals at the University, all such qualified individuals
385 shall be deemed in the nomination pool.

386 **1.** Individuals that are in their terminal year of employment (as
387 a result of non-reappointment, resignation, or layoff), or
388 those who received “Needs Improvement”, “Unsatisfactory”
389 or “Deficient” in their most recent performance evaluation,
390 are not eligible to serve on the UEC, regardless of any
391 pending grievance to challenge such evaluation (See Section
392 11.11(a)).

393 **2.** In years where an individual is up for reappointment review,
394 he or she may not participate in the UEC.

395 **b.** Term duration will be staggered to have a “normal” term of three (3)
396 years in length and with overlap in UEC membership so that
397 institutional knowledge for the committee is maintained.

398 **c.** If fewer than four (4) individuals are eligible to staff the UEC, the
399 UEC will be chaired by the Provost with all eligible faculty serving
400 as members.

401 **(2)** Number of UEC Members.

402 **a.** If fewer than ten (10) individuals with the rank Professor are on staff
403 at the University, the UEC will consist of four (4) to six (6)
404 individuals at the discretion of the University.

405 **b.** With ten (10) to twenty (20) Full Professors on staff, the UEC will
406 consist of five (5) to seven (7) individuals at the discretion of the
407 University.

408 **c.** With more than twenty (20) Full Professors on staff, the UEC will
409 consist of seven (7) members.

410 **d.** If, during the review of an individual with rank Professor, if the
411 faculty member’s unit does not have a minimum of four (4)

412 individuals with the rank of Professor, the UEC will be the sole
413 reviewing committee for that faculty member.

414 e. The UEC must operate in executive session and in total
415 confidentiality.

416 **6.8 Reappointment and Promotion Procedure for Assistant Professors, Associate**
417 **Professors, and Professors.**

418 (a) General Rules.

419 (1) ~~Previously Promoted.~~ If the University previously promoted the Candidate,
420 ~~the promotion assessment should be based on the Candidate's performance since the Candidate's last promotion.~~
421 ~~However, in assessing promotion to Professor, consideration of a candidate~~
422 ~~the faculty member's entire career would be appropriate. The promotion~~
423 ~~assessment shall be based on the Candidate's performance since the~~
424 ~~Candidate's last promotion. However in assessing promotion to Professor,~~
425 ~~consideration can be included in the evaluation.~~

Commented [CL7]: This differentiation seems appropriate.

426
427 (2) Not Previously Promoted.

428 a. If the University has not previously promoted the Candidate, the
429 promotion assessment is cumulative and must include consideration
430 of the Candidate's achievements prior to employment at the
431 University.

432 b. However, the Candidate's promotion assessment must also establish
433 that the Candidate has continued to progress and achieve in the
434 categories and criteria used for reappointment and/or promotion
435 while employed at the University.

436 (3) Reference Letters for Promotion and Full Reviews.

437 a. A single negative reference may not be the sole basis for not
438 reappointing a candidate or for not promoting a Candidate.

439 b. Promotion and reappointment decisions shall not be based solely on
440 the reference letters received.

441 (4) Department Inputs.

442 a. If the DEP includes no members from the candidate's department,
443 the DEP will request input from the department chair before
444 finalizing its recommendation.

445 b. If the Department chair is the candidate and no member from the
446 chair's department is a member of the DEP, the Provost or designee
447 shall select a member of the chair's department to provide input to
448 the DEP before the DEP finalizes their recommendation.

449 (b) DEP Review and Recommendation.

- 450 (1) The University shall provide the Packet (as described in Section 6.6) to the
- 451 DEP for review.
- 452 (2) For Full Reviews, the DEP will meet to select individuals that will receive
- 453 requests for reference letters for the candidate. This meeting should be early
- 454 in the process to allow time for the receipt of the letters.
- 455 (3) The DEP may acquire and review supplemental materials and/or other
- 456 information as appropriate.
- 457 a. If supplemental materials and/or other information is used as part of
- 458 the review, the Candidate will be informed of the use of this
- 459 information and provided a minimum of ~~five~~ **seven (57)** days, ~~but~~
- 460 ~~no longer than ten (10) days~~, to respond to the information.
- 461 (4) For Preliminary Reviews, the DEP will prepare and provide a report that is
- 462 added to the candidate’s packet. The DEP recommendation is presented to
- 463 the Provost directly. Within this report, the DEP may choose to highlight
- 464 areas of concern and comment on the candidates progression towards on-
- 465 time promotion.
- 466 (5) For Full Reviews, the DEP will prepare and provide a report that is added
- 467 to the candidate’s packet. The DEP recommendation is presented to the
- 468 UEC.
- 469 (6) The DEP must operate in executive session and in total confidentiality.
- 470 (7) All DEP reports, recommendations, and work product constitute faculty
- 471 evaluative information and/or limited-access records, pursuant to Florida
- 472 Polytechnic University Rule 6C13-6.008.
- 473 (c) UEC Report and Recommendation.
- 474 (1) If conducted, the DEP will add its report to the Candidate’s packet which
- 475 includes the dossier, letters of recommendations, a table listing review
- 476 requests, the DEP report and recommendation, and any supplemental
- 477 materials and Candidate responses which were used as part of the decision
- 478 in the review.
- 479 (2) The UEC will use the candidate’s packet to consider the reappointment or
- 480 promotion request.
- 481 (3) The UEC may acquire and review supplemental materials and/or other
- 482 information as appropriate.
- 483 a. If supplemental materials and/or other information is used as part of
- 484 the review at any time during the process, the Candidate will be
- 485 informed of the use of this information and provided a minimum of
- 486 ~~five~~ **seven (57)** days, ~~but no longer than ten fourteen (1014) days~~, to
- 487 respond to the information.
- 488 (4) Reference letters are to be used as an input to the overall evaluation by the

Commented [CL8]: At least a week seems appropriate, given that the scenario could very well arise in the middle of a semester.

- 489 committee.
- 490 **a.** A single negative reference may not be the sole basis for not
- 491 reappointing a candidate or for not promoting a Candidate.
- 492 **b.** Promotion and reappointment decisions shall not be based solely on
- 493 the reference letters received.
- 494 **(5)** The UEC will prepare a report and recommendation that is addressed to the
- 495 Provost. The UEC report is added to the Candidate’s packet.
- 496 **a.** If the Provost chairs the UEC, the Provost will not make a
- 497 recommendation, but will supply a candidate’s Packet, and both the
- 498 UEC and DEP reports to the President for a final decision.
- 499 **(6)** All UEC reports, recommendations, and work product constitute faculty
- 500 evaluative information and/or limited-access records, pursuant to Florida
- 501 Polytechnic University Rule 6C13-6.008.
- 502 **(d) Provost’s Review and Recommendation.**
- 503 **(1)** The Provost shall review all procedural and substantive matters for
- 504 completeness in order to ensure that the DEP and/or UEC have met their
- 505 responsibilities in this Article.
- 506 **a.** If procedural errors or inconsistencies are present in the process, the
- 507 Provost will send materials back to the appropriate part of the
- 508 process for correction before making a recommendation regarding
- 509 the candidate.
- 510 **b.** In rare instances, the Provost may acquire and review supplemental
- 511 materials and/or other information as appropriate for completeness
- 512 and accuracy of the Candidate’s packet.
- 513 **1.** As with the procedures used by the DEP and the UEC, any
- 514 supplemental materials and/or other information must be
- 515 disclosed to the Candidate with the same response rights and
- 516 times as provided in the DEP and UEC review.
- 517 **2.** If applicable, the supplemental materials and/or other
- 518 information and the Candidate’s response(s) will be
- 519 appended to the Candidate’s packet.
- 520 **(2)** After a careful review of the reports and recommendations of the DEP and
- 521 UEC (if applicable), and the Candidate’s packet, the Provost, in his or her
- 522 best judgment, shall make a positive or negative recommendation in writing
- 523 as to the Candidate’s reappointment or promotion.
- 524 **a.** The Provost’s recommendation, if positive, is provided to the
- 525 President consistent with Section 6.8(e).

- 526 **b.** If the Provost’s recommendation is negative, the decision and
- 527 written justification are provided to the Candidate. Unless
- 528 overturned on appeal by the President, negative recommendations
- 529 from the Provost are terminal.

- 530 **c.** The process for appealing a negative recommendation from the
- 531 Provost is as follows:
 - 532 **1.** Within ten (10) days of the Provost’s written justification
 - 533 being provided the Candidate may submit a written appeal
 - 534 to the Office of the President (president@floridapoly.edu).
 - 535 **(I)** Failure to appeal a negative recommendation within
 - 536 the ten (10) day time frame renders the
 - 537 recommendation final and subject to no further
 - 538 review or grievance.
 - 539 **2.** Upon receipt of the Candidate’s appeal, the President will
 - 540 review the Provost’s negative recommendation, the UEC
 - 541 and DEP committee reports, and the Candidate’s packet.
 - 542 **3.** The scope of the President’s appellate review is limited to
 - 543 ~~the~~ correcting errors of judgment or process.
 - 544 **4.** Within twenty (20) days of receipt of the Candidate’s appeal,
 - 545 the President will render a decision either granting or
 - 546 denying the appeal on its merits.

- 547 **(3)** The Provost’s recommendation, Provost’s written justification, and the
- 548 President’s decision as a result of the appeal process constitute faculty
- 549 evaluative information and/or limited-access records, pursuant to Florida
- 550 Polytechnic University Rule 6C13-6.008.

- 551 **(e)** **President’s Review and Authority.** The President shall have the sole authority to
- 552 grant a Candidate’s reappointment or promotion and will act upon the request for
- 553 reappointment or promotion provided by the Provost.
 - 554 **(1)** The granting of reappointment or promotion shall be based on the
 - 555 University’s criteria, clarifications produced by the Candidate’s unit or
 - 556 department, the reports and recommendations of the DEP and UEC, any
 - 557 documents relied upon by the DEP and UEC in creating their reports and
 - 558 recommendations, the Candidate’s packet, and the written recommendation
 - 559 of the Provost.
 - 560 **(2)** The President will consider the items listed above, noting that the committee
 - 561 reports have provided a strong review of the candidate and, in his or her best
 - 562 judgment, either:
 - 563 **a.** grant reappointment or promotion, via written notice, within the
 - 564 terms of this contract, or;

- 602 d. Last two (2) faculty activity reports
- 603 e. Last two (2) reviews from department chair
- 604 (3) Reappointment of Senior Instructors: Senior Instructors must submit the
- 605 following materials to be considered for reappointment:
- 606 a. Candidate personal statement to include update of activity since
- 607 promotion or last reappointment
- 608 b. Updated Curriculum Vitae
- 609 c. Last three (3) faculty activity reports
- 610 d. Last three (3) reviews from department chair
- 611 (4) Promotion (Senior Instructor to Distinguished Instructor) Materials: Senior
- 612 Instructors must submit the following materials to be considered for
- 613 Promotion to Distinguished Instructor:
- 614 a. Candidate personal statement
- 615 b. Updated, current curriculum vitae
- 616 c. Teaching portfolio
- 617 d. Last three (3) faculty activity reports
- 618 e. Last three (3) reviews from department chair
- 619 (5) Reappointment of Distinguished Instructor: Distinguished Instructors must
- 620 submit the following materials to be considered for reappointment:
- 621 a. Candidate personal statement to include update of activity since
- 622 promotion or last reappointment
- 623 b. Updated Curriculum Vitae
- 624 c. Last ~~three~~five (35) faculty activity reports
- 625 d. Last ~~three~~five (35) reviews from department chair
- 626 (6) Reappointment of Professor of Practice: Professors of Practice must submit
- 627 the following materials to be considered for reappointment:
- 628 a. Candidate personal statement to include update of activity since
- 629 promotion or last appointment
- 630 b. Updated Curriculum Vitae
- 631 c. Last three (3) faculty activity reports
- 632 d. Last three (3) reviews from department chair
- 633 d.e. Other materials relevant to this faculty members contributions to the
- 634 University
- 635 (b) Reappointment and Promotion: Types, Notices, and Criteria

- 636 (1) Types:
- 637 a. Faculty at the instructor level undergo reappointment reviews and
- 638 promotion review (if eligible and by choice of the candidate).
- 639 b. Instructors are not required to seek promotion, nor may they be
- 640 penalized for not seeking promotion.
- 641 c. Once promoted, Senior Instructors likewise undergo reappointment
- 642 reviews, as do Distinguished Instructors.
- 643 (2) Notice of Reappointment or Promotion eligibility or requirement will take
- 644 place consistent with the notification requirement for other faculty.
- 645 (3) Criteria for Instructor, and Senior Instructor, Distinguished Instructor and
- 646 Professor of Practice reappointment and promotion will be developed
- 647 through the process outlined below in Section 6.10.
- 648 (c) Review Panel and Committees for Instructor-Level rank Reappointments and
- 649 Promotion (ranks are Instructor, Senior Instructor, and Distinguished Instructor).
- 650 (1) Instructor-DEP: Shall consist of the department DEP plus one (1) Assistant
- 651 Professor chosen by the Department Chair and one (1) out-of-department
- 652 Distinguished Instructor, or Senior Instructor, Instructor, or Assistant
- 653 Professor chosen by the Provost. If there is no out-of-department Senior
- 654 Instructor, the department DEP alone will consider the reappointment or
- 655 promotion Provost will appoint one out of department faculty member with
- 656 rank Associate professor or higher to serve on the instructor DEP.
- 657 (2) Instructor-UEC: Shall consist of the UEC plus one (1) Distinguished
- 658 Instructor or Senior Instructor. If there is no individual with the rank Senior
- 659 Instructor, the Provost will choose one (1) Associate Professor from outside
- 660 the Instructor's department.
- 661 (d) Reappointment and/or Promotion Process, the Instructor Review.
- 662 (1) The Instructor-DEP and Instructor-UEC follow the same process as they do
- 663 for other faculty, except there is no outside letter requirement for Instructor
- 664 promotion, —or— Senior Instructor promotion or Senior Instructor
- 665 reappointment, or Distinguished Instructor reappointment.
- 666 (2) For reappointment reviews of Instructors and Senior Instructors, the
- 667 Instructor-DEP provides its report directly to the Provost.
- 668 (3) Every third (3rd) reappointment review for Instructors, and—Senior
- 669 Instructors, and Distinguished Instructors requires an evaluation by the
- 670 Instructor-UEC.
- 671 (4) Promotion reviews for Instructors and Senior Instructors require an
- 672 evaluation by the Instructor-UEC.
- 673 (5) Provost Review and Recommendation.

Commented [CL9]: The proposed language is an attempt to address the exceptionally large panels that review Instructors' reappointments; it seemed as if the swelling of the Instructor Review Panel was an unintentional consequence of contract language. We are open to other approaches to addressing this issue, so long as the panel includes an Instructor and department chair.

674 a. Both Instructor-DEP and Instructor-UEC reviews for Instructors
675 and Senior Instructors culminate in either a positive or negative
676 recommendation by the Provost as described in Section 6.8(d)(2).

677 b. These processes shall be consistent with that outlined for other
678 faculty in Section 6.8(d).

679 (6) President’s Review and Authority. Actions on reappointments and
680 promotions by the President and Provost will be acted upon in the same
681 manner as described in Section 6.8(e).

682 (e) Reappointment Process, Professor of Practice Review.

683 (1) The Professor of Practice reappointment process follows the same process
684 as that for Distinguished Instructor.

685 (2) Every third (3rd) reappointment review for Professors of Practice requires
686 an evaluation by the Instructor-~~EU~~UEC.

687 (3) Provost Review and Recommendation.

688 a. Reviews for Professors of Practice culminate in either a positive or
689 negative recommendation by the Provost as described in Section
690 6.8(d)(2).

691 b. These processes shall be consistent with that outlined for other
692 faculty in Section 6.8(e).

693 ~~(6)~~(4) President’s Review and Authority. Actions on reappointments by the
694 President and Provost will be acted upon in the same manner as described
695 in Section 6.8(e).

696 6.10 Development of Reappointment and Promotion Criteria for the Instructor Ranks,
697 Professors of Practice, Assistant Professors, Associate Professors, and Professors.

698 (a) The awarding of reappointment or promotion shall be based on written criteria,
699 which are established by the University and developed by each department in
700 accordance to this Article.

701 (b) University Criteria. No later than January 15 of every even-numbered calendar
702 year, the University shall establish the general criteria for the granting of promotion
703 or reappointment, and provide that criteria to each department’s ~~Division Director,~~
704 ~~or Chair if no Division Director is present.~~ If a category of reappointment or
705 promotion criteria is not in place for an upcoming review cycle where a candidate
706 may request reappointment or promotion, the criteria will be developed to support
707 that cycle.

708 (1) Promotion and reappointment criteria shall consider the performance of the
709 work that the professor has been assigned (as reflected in FARE forms),
710 criteria for each rank as set forth in the most recent, BOT-approved Faculty
711 Handbook, and the faculty member’s responsibilities as a member of the
712 University and department community.

- 713 (2) The University criteria shall broadly recognize and consist of the following:
- 714 a. Instruction, including regular classroom and laboratory teaching,
- 715 classroom development, effective development/application of new
- 716 instructional methods, directing thesis or dissertation committees,
- 717 and other instructional activities;
- 718 b. Research or other creative activities relevant to the department
- 719 mission, including scholarly publications, support and advising of
- 720 graduate students; and
- 721 c. Service to professional societies and contributions to the University
- 722 and department.
- 723 (3) The criteria shall also include, but are not limited to:
- 724 a. a demonstrated record of scholarly activity, teaching, and as
- 725 appropriate, course and/or curriculum development commensurate
- 726 with the University’s mission and relevant academic discipline(s);
- 727 b. evidence of a positive and growing reputation in his/her chosen sub-
- 728 field within the department’s mission, and;
- 729 c. promise of continued successful performance.
- 730 (4) The Provost will formally request input from the FRC as to the University
- 731 criteria before providing the finalized University criteria to each
- 732 department’s ~~Division Director, or Chair if no Division Director is present.~~
- 733 (c) Department Clarifications of University Criteria. The department clarifications,
- 734 described in this section shall provide context for the broader University criteria
- 735 and:
- 736 (1) be consistent with university requirements and faculty work assignments;
- 737 (2) be detailed enough that a reasonable professor should be informed about the
- 738 expectations for performance or accomplishments which are necessary to
- 739 earn reappointment or promotion, assuming that the accomplishments are
- 740 of sufficient quality, quantity, and consistency, and;
- 741 (3) identify some representative examples of the achievements or performance
- 742 characteristics which, if the requirement or distinction were met, are
- 743 appropriate comparisons for reappointment or promotion.
- 744 (d) Criteria and Department-Specific Clarification Review Process. Criteria and
- 745 department-specific clarifications shall be developed and approved on a bi-annual
- 746 cycle according to the following procedures:
- 747 (1) Department Committee Formation and Membership.
- 748 a. The Committee shall consist of:
- 749 1. the Vice Provost of Academic Affairs (or Provost-designee);

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2. Department Chair ~~(or if Division/Department Director is present, Division director, or designee)~~ of each respective department, and;
 3. two (2) faculty members from the department, at least one (1) holding the most senior rank in the department, subject to the limitations below in 6.10(d)(1)c).
- b. In years during which the clarifications are reviewed, department faculty shall select their two (2) representative faculty members during the first week of the fall semester
- c. Exceptions to Department Committee Membership.
1. The Department Committee requires senior-ranking membership, followed by overall membership. If a department has three (3) or more senior-ranking faculty members, a senior-ranking faculty member that will be reviewed in the next academic year’s review cycle may not serve on the Department Committee.
 2. Similarly, if a department has more than ten (10) faculty members, a junior-ranking faculty member that will be reviewed for reappointment in the next academic year’s review cycle may not serve on the departmental committee.
 3. Faculty members that have resigned, received a notice of non-reappointment or notice of layoff, instructors, and visiting/adjunct faculty are not eligible to serve on the Department Committee or participate in the Department Committee selection process.
 - (I) However, Instructors who have served in a full-time capacity for at least the most recent five (5) consecutive years are eligible to serve on or participate in the Department Committee selection process as it relates to the development of department-specific clarifications for instructors.
- (2) Development of Department-Specific Clarifications.
- a. The Provost shall provide a framework for department-specific clarifications and formally charge the Department Committee to develop and maintain written clarifications of the University’s reappointment and promotion criteria in terms aligned with the department’s discipline(s) and assigned duties, and consistent with University standards as established in the most recent BOT-approved version of the Faculty Handbook.

- 789 **b.** Upon receiving the University criteria and clarification framework,
790 the Department Committee shall convene to develop clarifications
791 of the University criteria consistent with the department disciplines
792 in accordance with the procedures outlined herein.
- 793 **c.** The Department Committee shall complete its review and finalize
794 the department clarifications within fifteen (15) days of receiving
795 the University’s criteria.
- 796 **(3)** Department Faculty Vote. Within ten (10) days of the Committee finalizing
797 the department clarifications, the department faculty shall conduct a
798 confidential and anonymous vote on said clarifications.
- 799 **a.** Faculty that are in their terminal year of employment (as a result of
800 non-reappointment, resignation, or layoff), visiting/adjunct faculty,
801 and instructors are not eligible to vote on the clarifications.
802 Instructors and Senior Instructors, however, are eligible to vote on
803 the department-specific clarifications for instructors.
- 804 **b.** If a majority of a department’s faculty vote in favor of the proposed
805 department clarifications, the department clarifications are
806 forwarded to the Provost for review and approval.
- 807 **c.** If the majority of a department’s professors do not vote in favor of
808 the proposed department clarifications, the Department Committee,
809 shall reconsider the proposed clarifications prior to conducting a
810 second vote.
 - 811 **1.** The Department Committee shall have five (5) days to
812 reconsider the proposed clarifications and conduct a second
813 vote within five (5) days of finalizing the second round of
814 department clarifications.
 - 815 **2.** If the second vote is also unsuccessful, the proposed
816 clarifications shall be forwarded to the Provost for approval,
817 noting the lack of department faculty support.
 - 818 **3.** If a vote does not occur within five (5) days of the
819 Committee finalizing the department clarifications, the
820 department clarifications shall be forwarded to the Provost
821 for review, noting that no vote occurred.
- 822 **(4)** Provost Review. Within ten (10) days of receipt, the Provost shall review
823 the proposed department clarifications to ensure compliance with this
824 Agreement, the mission and goals of the University, and University
825 standards as established in the most recent, BOT-approved version of the
826 Faculty Handbook.
- 827 **a.** The Provost will either approve the proposed department
828 clarifications, or return them to the Committee for reconsideration.

- 829 **b.** In the event the Provost returns the proposed department
- 830 clarifications to the Committee for reconsideration, he/she shall
- 831 provide objections to any such provision in writing.
- 832 **(5)** Committee Reconsideration. The Department Committee shall reconsider
- 833 the Provost’s written objections and within ten (10) days after receiving
- 834 them, shall resubmit the proposed written clarifications to the Provost,
- 835 incorporating all, some, or none of the objections, along with a written
- 836 explanation and justification for the resubmitted language.
- 837 **(6)** Provost Reconsideration, Revision and Adoption. The Provost shall
- 838 reconsider the department clarifications and issue final revisions or
- 839 approvals with a final adoption of the criteria within seven (7) days after
- 840 receiving the revised department clarifications.
- 841 **(e)** Changes in Criteria for Reappointment and Promotion for Professors.
- 842 **(1)** Following the Provost’s approval adoption of the final criteria, the
- 843 University may modify the approved University criteria for reappointment
- 844 and promotion so long as the UFF has been notified of the proposed changes
- 845 and been offered an opportunity to discuss such changes in consultation
- 846 with the President or designee.
- 847 **(2)** Changes to discipline-specific departmental clarifications may only be
- 848 considered if changes to the University criteria have been made as described
- 849 in (e)(1). Such changes to discipline-specific criteria shall be developed and
- 850 approved according to the process outlined in 6.10(d)(2).
- 851 **(f)** Access to Criteria. The Reappointment and Promotion criteria shall be available
- 852 on the Provost’s webpage (<https://floridapoly.edu/provost/>) and/or at the written
- 853 request of any faculty member.

854 **6.11 Non-Reappointment of Faculty**

- 855 **(a)** Faculty members on multi-year appointments cannot be terminated during the
- 856 contract period except for just cause, layoff, or termination of the funding source in
- 857 the case of soft money appointments.
- 858 **(b)** Reappointment or Promotion Review. If a faculty member has participated in a
- 859 reappointment or promotion review and is not provided with an offer of
- 860 reappointment or promotion,
- 861 **(1)** a faculty member with a remaining contract term of more than one (1) year
- 862 will be provided written notice of non-reappointment, advising that the
- 863 existing contract will not be renewed with no right to continued
- 864 employment, or;
- 865 **(2)** a faculty member with a remaining contract term of less than one (1) year
- 866 will be provided a notice of non-reappointment that the existing contract
- 867 will not be renewed, and the University shall offer a terminal contract which
- 868 supersedes the existing contract and expires one (1) year from the date of

- 869 the written notice, with no right to continued employment.
- 870 (c) If a professor chooses not to participate in a reappointment review, or in the case of
- 871 an Assistant Professor, chooses not to participate in the promotion process, the
- 872 professor will be administratively non-reappointed and the professor’s employment
- 873 shall end on the last date of the professor’s existing contract.
- 874 (d) Non-reappointed employees are not eligible to receive any salary increases or
- 875 bonuses during the notice period.
- 876 (e) Non-reappointed employees are not eligible to serve on departmental or university
- 877 committees without prior approval of the Provost.
- 878 (f) Payout option.
- 879 (1) At the time of or following issuance of a notice of non-reappointment to any
- 880 employee, the University may elect in its discretion to pay the employee for
- 881 all or a portion of the remaining term of the contract, as may be allowed
- 882 under Florida law.
- 883 (2) If the University elects this option, it will pay the employee an amount, less
- 884 withholding, equal to the salary for that portion of the remaining term of the
- 885 contract which the University is paying out, and the employee’s
- 886 employment will terminate immediately.

6.12 Assistant Librarians and Wellness Counselors.

- 888 (a) Contract duration for appointments and reappointments are as follows:
- 889 (1) Assistant Librarian I & Wellness Counselor I.
- 890 a. Initial Contract Duration: two (2) years
- 891 b. Reappointment Contract Duration: two (2) years
- 892 c. Reappointment Cycle: two (2) years.
- 893 1. The University will review the Assistant Librarian I and
- 894 Wellness Counselor I during the second full spring term of
- 895 employment (or the first spring after four complete terms
- 896 depending on hire date) and thereafter in the fourth (4th)
- 897 semester of each contract cycle.
- 898 (2) Assistant Librarian II and Wellness Counselor II.
- 899 a. Initial Contract Duration: two (2) years
- 900 b. Reappointment Contract Duration: three (3) years
- 901 1. The University will review the Assistant Librarian II and
- 902 Wellness Counselor II during the second full spring term
- 903 after initial promotion and thereafter in the spring of the third
- 904 year of the reappointment contract.
- 905 (b) Reappointment Review Requirements & Process

- 906 (1) Candidate Required Materials: Candidates for reappointment must provide
- 907 the following materials in their reappointment “packet.”
- 908 a. The Employee Self-Review Worksheet provided by Human
- 909 Resources;
- 910 b. The candidate’s previous performance reviews;
- 911 c. An updated curriculum vitae;
- 912 d. If other materials are used as part of the review, the candidate will
- 913 be informed of this information, and provided a minimum of five (5)
- 914 days to respond to the information.
- 915 (2) Reappointment Process.
- 916 a. Dates for reappointment notification and submission of materials to
- 917 Supervisor will coincide with those for Faculty.
- 918 b. Considerations for reappointment include:
- 919 1. A review of goals, objectives, and accomplishments
- 920 achieved over the total review period.
- 921 2. Specific goals, tasks, or assignments derived from annual or
- 922 periodic evaluations.
- 923 3. Candidate’s likelihood for continued success.
- 924 4. Any additional criteria established via the process for
- 925 University Criteria for Reappointment and Promotion
- 926 established for faculty positions.
- 927 c. Decisions must be considered by the supervisor, the Provost, and the
- 928 Vice Provost of Student Affairs.
- 929 d. Upon request, the Provost will provide a written justification for the
- 930 reappointment decision.
- 931 (c) Promotion Procedure for Assistant Librarians & Wellness Counselors:
- 932 (1) Employees designated as Assistant Librarian I and Wellness Counselor I
- 933 are not obligated to seek promotion, nor will they be penalized for not doing
- 934 so.
- 935 (2) Available Ranks for Promotion
- 936 a. Assistant Librarian I to Assistant Librarian II
- 937 b. Wellness Counselor I to Wellness Counselor II
- 938 (3) Eligibility for Promotion.
- 939 a. Minimum Duration of Employment: Employees must have served
- 940 at least 5 successful academic years at their current rank in a full-

941 time capacity, with an overall evaluation rating of “Meets
942 Expectation” for each of those years, in order to qualify for
943 consideration of the next highest rank.

944 **b.** Minimum Requirements: Employees must have been in a position
945 of continued employment and not have been given notice of non-
946 reappointment or termination, and not initially hired at a rank higher.

947 **(4)** Promotion Review Requirements & Process.

948 **a.** Candidate Required Materials: Candidates for reappointment must
949 provide the following materials in their reappointment “packet.”

950 **1.** A personal statement addressing how the candidate fulfills
951 the responsibilities of the position and advances the mission
952 of the unit and the University.

953 **2.** The candidate’s previous performance reviews (including
954 self-evaluations) and other evaluations since initial hire at
955 the University.

956 **3.** An updated curriculum vitae.

957 **4.** If other materials are used as part of the review, the candidate
958 will be informed of this information, and provided a
959 minimum of five (5) days to respond to the information.

960 **(5)** Promotion Process.

961 **a.** Dates for Promotion notification and submission of materials to
962 Supervisor will coincide with those for Faculty.

963 **b.** Considerations for Promotion include:

964 **1.** A review of goals, objectives, and accomplishments
965 achieved over the total review period.

966 **2.** Specific goals, tasks, or assignments derived from annual or
967 periodic evaluations.

968 **3.** Candidate’s likelihood for continued success and
969 appropriate contribution on institutional initiatives.

970 **4.** Any additional criteria established via the process for
971 University Criteria for Reappointment and Promotion
972 established for faculty positions.

973 **c.** Promotion Decisions

974 **1.** May include inputs from relevant campus stakeholders, such
975 as students, faculty, and other staff.

976 **2.** Must be considered by the supervisor, the Provost, and the

Vice Provost of Student Affairs.

3. Upon request, the Provost will provide a written justification for the promotion decision.

(d) Non-Reappointment.

(1) Employees on multi-year appointments cannot be terminated during the contract period except for just cause, layoff, or termination of the funding source in the case of soft money appointments.

(2) Non-Reappointment at Reappointment or Promotion Review: If an employee has participated in a reappointment or promotion review and is not provided with an offer of reappointment or promotion, that employee shall receive a terminal, 6-month contract that supersedes any existing contracts.

(3) Non-reappointed employees are not eligible to receive any salary increases or bonuses during the notice period.

(4) Non-reappointed employees are not eligible to serve on departmental or university committees without prior approval of the Provost.

(5) Payout option.

a. At the time of or following issuance of a notice of non-reappointment to any employee, the University may elect in its discretion to pay the employee for all or a portion of the remaining term of the terminal contract, as may be allowed under Florida law.

b. If the University elects this option, it will pay the employee an amount, less withholding, equal to the salary for that portion of the remaining term of the contract which the University is paying out, and the employee’s employment will terminate immediately.

6.13 Grievability.

(a) The University’s decision to not offer reappointment or promotion to an employee shall not be considered a disciplinary action.

(b) The decision to not offer reappointment or promotion is grievable according to Article 11 - Grievance and Arbitration Procedure, as an employee may contest the decision solely because of an alleged violation of a specific term of the Agreement or because of an alleged violation of the employee’s constitutional rights.

(c) For the purposes of a grievance about a faculty reappointment or promotion decision, the scope of materials relied upon the denial of a candidate’s reappointment or promotion is limited to the Candidate’s packet, the DEP report and recommendation, the UEC report and recommendation, and the Provost’s recommendation. The University may not subsequently introduce new grounds for that denial during the grievance process nor may it assert that there are other, unwritten grounds for that denial.

- 1016 **(d)** The remedy for any grievance filed under this provision, if successful, shall not
1017 include an award of reappointment or promotion.
- 1018 **(e)** Such grievances must be filed within thirty (30) days of the Candidate's receipt of
1019 the denial of promotion or reappointment from the President as described in
1020 6.8(e)(3) or the President's denial of an appeal as described in Section 6.8(d)(2)c.4.
- 1021 **(f)** Reports and recommendations from the DEP, UEC, and Provost shall be available
1022 for arbitration proceedings consistent with the requirements described in Florida
1023 Polytechnic University Rule 6C13-6.008.