

ARTICLE 6 – APPOINTMENT & PROMOTION

1

2

3 **6.1 General Principles.** 1

4 **6.2 Employment Contract.**..... 2

5 **6.3 Faculty Appointment and Reappointment Contract Duration.**..... 3

6 **6.4 Reappointment and Promotion Review Eligibility and Requirements.** 4

7 **6.5 Promotion Categories and Eligibility Criteria for Faculty**..... 6

8 **6.6 Reappointment and/or Promotion Materials for Assistant Professors, Associate**
9 **Professors, and Professors.** (*Note: Instructors see Section 6.9*) 7

10 **6.7 Reappointment and/or Promotion Process: Types, Notices, and Committee**
11 **Memberships for Assistant Professors, Associate Professors, and Professors.**..... 9

12 **6.8 Reappointment and Promotion Procedure for Assistant Professors, Associate**
13 **Professors, and Professors.**..... 11

14 **6.9 Reappointment and Promotion for Instructors, Senior Instructors,**
15 **Distinguished Instructors, and Professors of Practice.**..... 16

16 **6.10 Development of Reappointment and Promotion Criteria for the Instructor**
17 **Rank, Professors of Practice, Assistant Professors, Associate Professors, and**
18 **Professors.**..... 19

19 **6.11 Non-Reappointment of Faculty** 23

20 **6.12 Assistant Librarians and Wellness Counselors.**..... 24

21 **6.13 Grievability.**..... 27

22

23 **6.1 General Principles.**

- 24 (a) The University and UFF recognize that Florida Polytechnic University is a new
25 institution, and as such, both parties accept that flexibility is required as we develop
26 an excellent faculty through the process of appointment and promotion. The
27 University and UFF share the desire to improve the quality of the University in all
28 areas, but particularly in the execution of teaching, research, and service by the
29 faculty. This article balances a recognition of the University’s unique history,
30 newness, and current situation with a shared desire for continuous improvement.
- 31 (b) Faculty are defined as individuals whose primary responsibilities include teaching,
32 service, and where applicable, research. Faculty included in this contract are
33 designated by ranks of Instructor, Senior Instructor, Distinguished Instructor,
34 Professor of Practice, Assistant Professor, Associate Professor, and Professor.
- 35 (c) The University and UFF further recognize that reappointment and promotions are
36 an important method by which the University recognizes excellence and rewards
37 its employees’ contributions to advancing the mission of the University.

- 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 June 30 following the academic year in which
78 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: five (5) years.

99 b. Reappointment contract duration: 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.

- 147
148
149
150
- a.** Reappointment Cycle: five (5) years after Promotion or initial contract – Distinguished Instructor’s receive an Instructor’s Review during the spring semester of the final year of their contract as described in section 6.9.
- 151 **(4)** Professor of Practice
- 152 **a.** Reappointment Cycle: three (3) years after Promotion or initial
153 contract – Professors of Practice receive an Instructor’s Review
154 during the spring semester of the final year of their contract as
155 described in section 6.9.
- 156 **(5)** Assistant Professor
- 157 **a.** Preliminary Review (see 6.7(a)(1)).
- 158 **1.** Preliminary Review for reappointment begins at the start of
159 the first spring semester following the completion of a
160 minimum of five (5) full, contiguous semesters at the current
161 appointed rank.
- 162 **2.** Individuals whose employment did not start at the beginning
163 of the fall semester will have their Preliminary Review
164 delayed to the first spring semester following the completion
165 of a minimum of five (5) full, contiguous semesters
166 following their initial appointment.
- 167 **3.** May only be reappointed once and must apply, consistent
168 with the start of the process in the fall semester, for
169 promotion no later than at the completion of six (6) academic
170 years (fall to spring).
- 171 **4.** .
- 172 **b.** Promotion
- 173 **1.** Assistant Professors must be promoted to Associate
174 Professor by the end of their second (2nd) reappointment
175 term, noting Section 6.4(a)(5)a.3 above, in order to receive a
176 contract with a duration greater than a single terminal year.
- 177 **2.** The University may, at its sole discretion, permit a faculty
178 member to delay promotion review by granting a maximum
179 one (1) year extension at this rank due to a valid request for
180 FMLA or other appropriate leave.
- 181 **3.** Other extensions must be formally agreed upon in writing by
182 both the FPU-BOT and UFF-FPU.
- 183 **4.** In order to be considered for promotion, a faculty member
184 must have a Full Review as described in Section 6.7(a)(2).

- 185 **(6) Associate Professor**
- 186 **a. Preliminary Review (see Section 6.7(a)(1)).**
- 187 **1.** Preliminary review for reappointment is only available to
188 Associate Professors as their first review after their initial
189 appointment if their initial appointment is less than six (6)
190 years.
- 191 **2.** Preliminary Review for reappointment begins at the start of
192 the spring semester of the final year of their contract.
- 193 **b. Full Review (see Section 6.7(a)(2)).**
- 194 **1.** Except as described in Section 6.4(a)(6)a.1, Full Reviews are
195 required for reappointment of Associate Professors and must
196 be completed before the expiration date of a Candidate's
197 existing contract.
- 198 **(I)** If an Associate Professor is reappointed based on a
199 preliminary review, all subsequent reappointment
200 reviews are based upon a Full Review.
- 201 **2.** The Full Review may be used, at the Candidate's election,
202 to also request promotion to the rank of Professor.
- 203 **3.** Full 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 **(7) Professor**

- 207 **a.** Reappointment is based upon a Full Review (see Section 6.7(a)(2)).

208 **6.5 Promotion Categories and Eligibility Criteria for Faculty.**

- 209 **(a)** Subject to the requirements set forth herein, faculty holding the rank of Instructor,
210 Assistant Professor and Associate Professor shall be eligible to apply for promotion
211 to the next higher rank.
- 212 **(b)** Professional Ranks:
- 213 **(1)** Instructor to Senior Instructor.
- 214 **(2)** Senior Instructor to Distinguished Instructor.
- 215 **a.** Distinguished Instructors are at their highest rank possible and
216 cannot be promoted.
- 217 **(3)** Professor of Practice.
- 218 **a.** Professors of Practice are at their highest rank possible and cannot
219 be promoted.
- 220 **(4)** Assistant to Associate Professor.

- 221 (5) Associate Professor to Professor.
- 222 (c) Notice of Intent. Faculty that seek promotion must declare their intent to seek
223 promotion in writing to the Provost and their Department Chair, no later than the
224 start of the fall semester in the academic year in which they will seek promotion.
- 225 (d) Minimum Qualifications.
- 226 (1) Faculty (including Instructors) must serve at least five (5) academic years
227 at their current (or higher) rank in order to qualify for promotional
228 consideration to a higher rank.
- 229 (2) At least two (2) of the five (5) immediately preceding academic years must
230 be served at the University.
- 231 (3) The University, at its discretion, may provide exceptions to these minimum
232 qualifications upon request of a faculty member and approval of their Chair,
233 and the Provost or designee.
- 234 **6.6 Reappointment and/or Promotion Materials for Assistant Professors, Associate**
235 **Professors, and Professors**. (*Note: Instructors see Section 6.9*)
- 236 (a) The candidate submits a “dossier” in support of their reappointment or promotion.
- 237 (b) The promotion “packet” is the body of material that includes the dossier, letters of
238 reference if required, any supplemental information considered by the committees
239 or Provost and the candidate’s response to that supplemental information, and
240 committee recommendations as specified by the process.
- 241 (c) Candidate Prepared Dossier. A Candidate for reappointment or promotion must
242 prepare a dossier for consideration, which must include: a personal statement from
243 the Candidate and elements that show the Candidate’s demonstrated abilities and
244 competencies in teaching, service, and research—including: performance reviews
245 received since their last reappointment if applicable (if not, all performance reviews
246 received).
- 247 (d) Faculty Dossier contents:
- 248 (1) The faculty dossier is prepared by the faculty member and, within the
249 boundaries of the specified format, must show the candidate’s competencies
250 in teaching, service, and research.
- 251 (2) Intentional or significant misrepresentations contained in the Candidate’s
252 dossier shall serve as just cause for termination pursuant to Article 9 –
253 Discipline.
- 254 (e) Faculty Dossier format.
- 255 (1) The Provost shall develop the format and guidelines for the Candidate
256 Prepared Dossier and send them to the Faculty Representative Council
257 (“FRC”) for review and comment by February 15 of the spring semester in
258 even numbered calendar years.

- 259 **a.** The FRC shall review, within fourteen (14) days of receipt, the
260 format and guidelines and shall recommend approval or changes to
261 the Provost.
- 262 **b.** Should the FRC recommend changes, the Provost shall, within ten
263 (10) days, either accept the changes or give a written justification
264 for not accepting the changes.
- 265 **(2)** The Candidate Prepared Dossier must follow the final format as finalized
266 by the Provost and faculty are solely responsible for the content within, and
267 production of, the dossier. Review committees may choose to not consider
268 a dossier which does not substantially follow the required format (e.g., a
269 dossier that does not include and clearly identify the relevant sections
270 specified in the dossier format.
- 271 **(f)** Reference Letters.
- 272 **(1)** Reference letters are required for Promotion Reviews and Full Reviews.
- 273 **(2)** Reference letters are added to the faculty dossier by the provost’s office and
274 become a part of the reappointment or promotion packet.
- 275 **(3)** Letters are not required for promotion to Senior Instructor.
- 276 **(4)** Reference letters are confidential and will be requested using a template that
277 instructs the external reviewer regarding the materials supplied, and any
278 special considerations, including the University’s history, teaching
279 expectations, and research infrastructure. This template will be developed
280 according to and as part of the process laid out in Section 6.6(f)(6).
- 281 **(5)** Requesting Reference Letters.
- 282 **a.** A minimum of four (4) reference letters must be requested.
- 283 **b.** The Candidate “nominates” up to four (4) individuals to provide
284 reference letters.
- 285 **c.** The Department Evaluation Panel formally requests all external
286 reference letters, which shall include at a minimum two (2)
287 individuals nominated by the Candidate, and a minimum of two (2)
288 letters from individuals not nominated by the Candidate.
- 289 **(6)** Request for Reference Letter template.
- 290 **a.** The Provost (or designee) will draft a letter that specifies what
291 materials will be provided to the external referee and provide the
292 letter to the University Evaluation Committee.
- 293 **b.** The University Evaluation Committee will review the draft, make
294 appropriate revisions, and provide the final draft of the letter to the
295 Department Evaluation Panel for distribution.
- 296 **(7)** The confidential reference letters shall be included for review with

297 Candidate's dossier and any supplemental materials.
298 a. A list of the names of all individuals asked to provide a review and
299 whether any declined to provide this review, and reason given, if
300 any, will also be included in the Packet.

301 **6.7 Reappointment and/or Promotion Process: Types, Notices, and Committee**
302 **Memberships for Assistant Professors, Associate Professors, and Professors.**

303 (a) Types of Review Processes.

304 (1) Preliminary Review.

305 a. A review that does not include external letters and is only conducted
306 by the Department Evaluation Panel (as described below in Section
307 6.7(c)).

308 b. Results of this review are provided directly to the Provost for
309 consideration.

310 (2) Full Review.

311 a. A review that includes external letters and is conducted by the
312 Department Evaluation Panel, then the University Evaluation
313 Committee (as described below in Section 6.7(d)).

314 b. Results of the reviews are then provided to the Provost for
315 consideration, except in Sections 6.7(d)(2)d & 6.8(c)(5)a, in which
316 the results of the reviews are directly provided to the President for
317 consideration.

318 (b) Notice of Review Requirement

319 (1) Individuals that require a Preliminary Review (as specified in Section
320 6.7(a)(1)), due to their appointment expiring in the coming year, will be
321 notified of the requirement for review no later than December 10, prior to
322 the spring semester in which their review must be completed.

323 (2) By the day after final grades are due prior to the academic year when an
324 individual must seek reappointment, the University will provide notice to
325 professors who:

326 a. must apply for promotion from Assistant to Associate Professor to
327 maintain their appointment, or;

328 b. must participate in a Full Review to renew their appointment.

329 (3) The format and guidelines for the Candidate Prepared Dossier, the
330 Promotion or Reappointment Criteria, and deadlines will be provided to the
331 candidate within two weeks of their formal notification that must participate
332 in a Full Review.

333 (4) Within fifteen (15) days of receiving the Notice referenced in 6.7 (b) (3),
334 eligible professors will inform the University of their election to apply for

335 promotion or proceed with reappointment.
336 (5) Candidates for reappointment or promotion shall provide the University
337 with their dossier by the deadline set forth in the Notice referenced in 6.7
338 (b) (3). Such deadline shall not be earlier than September 10.

339 (c) Department Evaluation Panel (“DEP”) Membership

340 (1) DEP Chair.

- 341 a. The Department Chair serves as the chair of the DEP if the
342 Department Chair holds the appropriate faculty appointment rank.
343 b. If the Department Chair does not hold the appropriate rank, the
344 Provost will appoint a chair for the DEP.

345 (2) DEP Membership.

- 346 a. For reviews of Assistant and Associate Professors, the DEP shall
347 consist of faculty of a higher rank than the Candidate within the
348 Candidate’s department. When there is an insufficient number of
349 faculty to meet the minimum requirements for a DEP, the process
350 below will be used to form a DEP.

- 351 b. There must be a minimum of five (5) qualified (appropriately
352 ranked) individuals serving on the DEP.

- 353 1. If the number of individuals available to serve on the DEP is
354 less than five (5), the Provost and DEP Chair will each select
355 a faculty member or, if necessary, two (2) faculty members
356 of appropriate rank from another unit at the University to
357 serve on the DEP.

- 358 c. Individuals that are in the terminal year of their employment
359 contract (as a result of non-reappointment, resignation, or layoff) or
360 those who received “Needs Improvement” or “Deficient” (or
361 “Unsatisfactory”) in their most recent performance evaluation are
362 not eligible to serve on the DEP, regardless of any pending
363 grievance to challenge such evaluation (See Section 11.11(a)).

- 364 d. A faculty member who is a Candidate for Reappointment may serve
365 on the DEP only with the approval of the Provost and DEP Chair.

366 (d) University Evaluation Committee (“UEC”) Membership.

367 (1) UEC Membership.

- 368 a. The UEC is appointed by the Provost from those holding the rank
369 “Professor” from a nomination pool provided by the Faculty
370 Representative Council; however, if there are fewer than eight (8)
371 qualified individuals at the University, all such qualified individuals
372 shall be deemed in the nomination pool.

373 1. Individuals that are in their terminal year of employment (as
374 a result of non-reappointment, resignation, or layoff), or
375 those who received “Needs Improvement”, “Unsatisfactory”
376 or “Deficient” in their most recent performance evaluation,
377 are not eligible to serve on the UEC, regardless of any
378 pending grievance to challenge such evaluation (See Section
379 11.11(a)).

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

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

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

388 (2) Number of UEC Members.

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

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

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

397 d. If, during the review of an individual with rank Professor, if the
398 faculty member’s unit does not have a minimum of four (4)
399 individuals with the rank of Professor, the UEC will be the sole
400 reviewing committee for that faculty member.

401 e. The UEC must operate in executive session and in total
402 confidentiality.

403 **6.8 Reappointment and Promotion Procedure for Assistant Professors, Associate**
404 **Professors, and Professors.**

405 (a) General Rules.

406 (1) -

407
408
409 Previously Promoted. The promotion assessment shall be based primarily
410 on the Candidate’s performance since the Candidate’s last promotion and
411 must include the candidate’s achievements since they were promoted.

412 However, in assessing promotion to Professor, consideration of prior to
413 promotion activity ~~can~~ shall also be included in the evaluation.

414
415 (2) Not Previously Promoted.

416 a. If the University has not previously promoted the Candidate, the
417 promotion assessment is cumulative and must include consideration
418 of the Candidate’s achievements prior to employment at the
419 University.

420 b. However, the Candidate’s promotion assessment must also establish
421 that the Candidate has continued to progress and achieve in the
422 categories and criteria used for reappointment and/or promotion
423 while employed at the University.

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

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

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

429 (4) Department Inputs.

430 a. If the DEP includes no members from the candidate’s department,
431 the DEP will request input from the department chair before
432 finalizing its recommendation.

433 b. If the Department chair is the candidate and no member from the
434 chair’s department is a member of the DEP, the Provost or designee
435 shall select a member of the chair’s department to provide input to
436 the DEP before the DEP finalizes their recommendation.

437 (b) DEP Review and Recommendation.

438 (1) The University shall provide the Packet (as described in Section 6.6) to the
439 DEP for review.

440 (2) For Full Reviews, the DEP will meet to select individuals that will receive
441 requests for reference letters for the candidate. This meeting should be early
442 in the process to allow time for the receipt of the letters.

443 (3) The DEP may acquire and review supplemental materials and/or other
444 information as appropriate.

445 a. If supplemental materials and/or other information is used as part of
446 the review, the Candidate will be informed of the use of this
447 information and provided a minimum of seven (7) days to respond
448 to the information.

449 (4) For Preliminary Reviews, the DEP will prepare and provide a report that is

- 450 added to the candidate's packet. The DEP recommendation is presented to
451 the Provost directly. Within this report, the DEP may choose to highlight
452 areas of concern and comment on the candidate's progression towards on-
453 time promotion.
- 454 (5) For Full Reviews, the DEP will prepare and provide a report that is added
455 to the candidate's packet. The DEP recommendation is presented to the
456 UEC.
- 457 (6) The DEP must operate in executive session and in total confidentiality.
- 458 (7) All DEP reports, recommendations, and work product constitute faculty
459 evaluative information and/or limited-access records, pursuant to Florida
460 Polytechnic University Rule 6C13-6.008.
- 461 (c) UEC Report and Recommendation.
- 462 (1) If conducted, the DEP will add its report to the Candidate's packet which
463 includes the dossier, letters of recommendations, a table listing review
464 requests, the DEP report and recommendation, and any supplemental
465 materials and Candidate responses which were used as part of the decision
466 in the review.
- 467 (2) The UEC will use the candidate's packet to consider the reappointment or
468 promotion request.
- 469 (3) The UEC may acquire and review supplemental materials and/or other
470 information as appropriate.
- 471 a. If supplemental materials and/or other information is used as part of
472 the review at any time during the process, the Candidate will be
473 informed of the use of this information and provided a minimum of
474 seven (7) days to respond to the information.
- 475 (4) Reference letters are to be used as an input to the overall evaluation by the
476 committee.
- 477 a. A single negative reference may not be the sole basis for not
478 reappointing a candidate or for not promoting a Candidate.
- 479 b. Promotion and reappointment decisions shall not be based solely on
480 the reference letters received.
- 481 (5) The UEC will prepare a report and recommendation that is addressed to the
482 Provost. The UEC report is added to the Candidate's packet.
- 483 a. If the Provost chairs the UEC, the Provost will not make a
484 recommendation, but will supply a candidate's Packet, and both the
485 UEC and DEP reports to the President for a final decision.
- 486 (6) All UEC reports, recommendations, and work product constitute faculty
487 evaluative information and/or limited-access records, pursuant to Florida

488 Polytechnic University Rule 6C13-6.008.

489 **(d) Provost’s Review and Recommendation.**

490 (1) The Provost shall review all procedural and substantive matters for
491 completeness in order to ensure that the DEP and/or UEC have met their
492 responsibilities in this Article.

493 a. If procedural errors or inconsistencies are present in the process, the
494 Provost will send materials back to the appropriate part of the
495 process for correction before making a recommendation regarding
496 the candidate.

497 b. In rare instances, the Provost may acquire and review supplemental
498 materials and/or other information as appropriate for completeness
499 and accuracy of the Candidate’s packet.

500 1. As with the procedures used by the DEP and the UEC, any
501 supplemental materials and/or other information must be
502 disclosed to the Candidate with the same response rights and
503 times as provided in the DEP and UEC review.

504 2. If applicable, the supplemental materials and/or other
505 information and the Candidate’s response(s) will be
506 appended to the Candidate’s packet.

507 (2) After a careful review of the reports and recommendations of the DEP and
508 UEC (if applicable), and the Candidate’s packet, the Provost, in his or her
509 best judgment, shall make a positive or negative recommendation in writing
510 as to the Candidate’s reappointment or promotion.

511 a. The Provost’s recommendation, if positive, is provided to the
512 President consistent with Section 6.8(e).

513 b. If the Provost’s recommendation is negative, the decision and
514 written justification are provided to the Candidate. Unless
515 overturned on appeal by the President, negative recommendations
516 from the Provost are terminal.

517 c. The process for appealing a negative recommendation from the
518 Provost is as follows:

519 1. Within ten (10) days of the Provost’s written justification
520 being provided the Candidate may submit a written appeal
521 to the Office of the President (president@floridapoly.edu).

522 (I) Failure to appeal a negative recommendation within
523 the ten (10) day time frame renders the
524 recommendation final and subject to no further
525 review or grievance.

526 2. Upon receipt of the Candidate’s appeal, the President will

527 review the Provost’s negative recommendation, the UEC
528 and DEP committee reports, and the Candidate’s packet.

529 3. The scope of the President’s appellate review is limited to
530 correcting errors of judgment or process.

531 4. Within twenty (20) days of receipt of the Candidate’s appeal,
532 the President will render a decision either granting or
533 denying the appeal on its merits.

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

538 (e) **President’s Review and Authority.** The President shall have the sole authority to
539 grant a Candidate’s reappointment or promotion and will act upon the request for
540 reappointment or promotion provided by the Provost.

541 (1) The granting of reappointment or promotion shall be based on the
542 University’s criteria, clarifications produced by the Candidate’s unit or
543 department, the reports and recommendations of the DEP and UEC, any
544 documents relied upon by the DEP and UEC in creating their reports and
545 recommendations, the Candidate’s packet, and the written recommendation
546 of the Provost.

547 (2) The President will consider the items listed above, noting that the committee
548 reports have provided a strong review of the candidate and, in his or her best
549 judgment, either:

550 a. grant reappointment or promotion, via written notice, within the
551 terms of this contract, or;

552 b. deny the request for reappointment or promotion.

553 (3) If the President’s final decision on reappointment or promotion is negative,
554 the President shall provide written justification to the Candidate within
555 twenty (20) days of the decision.

556 (4) The President’s written notice of granting reappointment or promotion
557 (6.8(e)(2)a) and written justification denying the request for reappointment
558 or promotion (6.8(e)(3)), constitute faculty evaluative information and/or
559 limited-access records, pursuant to Florida Polytechnic University Rule
560 6C13-6.008.

561 (f) If a Candidate does not receive a promotion following formal consideration by full
562 review, the Candidate may not reapply for promotion until after the completion of
563 two (2) additional academic years. This clause shall not unreasonably deny a
564 Candidate their terminal promotion consideration to Associate Professor.

565 (g) The Candidate being considered for promotion may withdraw from consideration

566 provided that the withdrawal is made before the UEC begins its consideration of
567 the Candidate. Such withdrawal shall be without prejudice and will not render the
568 Candidate ineligible for the next promotional cycle.

569 (h) Promotion Date.

570 (1) Promotions for professors that are granted shall be effective on August 15
571 following the decision date.

572 (2) An individual may use their new title effective upon written notification of
573 their promotion.

574 **6.9 Reappointment and Promotion for Instructors, Senior Instructors, Distinguished**
575 **Instructors, and Professors of Practice.**

576 (a) Reappointment & Promotion Materials:

577 (1) Reappointment Materials: Instructors must submit the following materials
578 to be considered for reappointment:

- 579 a. Candidate personal statement
- 580 b. Updated, current curriculum vitae
- 581 c. Last two (2) faculty activity reports
- 582 d. Last two (2) reviews from department chair

583 (2) Promotion (Instructor to Senior Instructor) Materials: Instructors must
584 submit the following materials to be considered for Promotion to Senior
585 Instructor:

- 586 a. Candidate personal statement
- 587 b. Updated, current curriculum vitae
- 588 c. Teaching portfolio
- 589 d. Last two (2) faculty activity reports
- 590 e. Last two (2) reviews from department chair

591 (3) Reappointment of Senior Instructor: Senior Instructors must submit the
592 following materials to be considered for reappointment:

- 593 a. Candidate personal statement to include update of activity since
594 promotion or last reappointment
- 595 b. Updated Curriculum Vitae
- 596 c. Last three (3) faculty activity reports
- 597 d. Last three (3) reviews from department chair

598 (4) Promotion (Senior Instructor to Distinguished Instructor) Materials: Senior
599 Instructors must submit the following materials to be considered for
600 Promotion to Distinguished Instructor:

- 601 **a.** Candidate personal statement
- 602 **b.** Updated, current curriculum vitae
- 603 **c.** Teaching portfolio
- 604 **d.** Last three (3) faculty activity reports
- 605 **e.** Last three (3) reviews from department chair
- 606 **(5)** Reappointment of Distinguished Instructor: Distinguished Instructors must
- 607 submit the following materials to be considered for reappointment:
- 608 **a.** Candidate personal statement to include update of activity since
- 609 promotion or last reappointment
- 610 **b.** Updated Curriculum Vitae
- 611 **c.** Last five (5) faculty activity reports
- 612 **d.** Last five (5) reviews from department chair
- 613 **(6)** Reappointment of Professor of Practice: Professors of Practice must submit
- 614 the following materials to be considered for reappointment:
- 615 **a.** Candidate personal statement to include update of activity since
- 616 promotion or last appointment
- 617 **b.** Updated Curriculum Vitae
- 618 **c.** Last three (3) faculty activity reports
- 619 **d.** Last three (3) reviews from department chair
- 620 **e.** Other materials relevant to this faculty members contributions to the
- 621 University
- 622 **(b)** Reappointment and Promotion: Types, Notices, and Criteria
- 623 **(1)** Types:
- 624 **a.** Faculty at the instructor level undergo reappointment reviews and
- 625 promotion review (if eligible and by choice of the candidate).
- 626 **b.** Instructors are not required to seek promotion, nor may they be
- 627 penalized for not seeking promotion.
- 628 **c.** Once promoted, Senior Instructors likewise undergo reappointment
- 629 reviews, as do Distinguished Instructors.
- 630 **(2)** Notice of Reappointment requirement will take place consistent with the
- 631 notification requirement for other faculty.
- 632 **(3)** Criteria for Instructor, Senior Instructor, Distinguished Instructor and
- 633 Professor of Practice reappointment and promotion will be developed
- 634 through the process outlined below in Section 6.10.

- 635 (c) Review Panel and Committees for Instructor-Level Reappointments and
636 Promotion (ranks are Instructor, Senior Instructor, and Distinguished Instructor).
- 637 (1) Instructor-DEP: Shall consist of the department DEP and one (1) out-of-
638 department Distinguished Instructor or Senior Instructor chosen by the
639 Provost. If there is no out-of-department Senior Instructor, the Provost will
640 appoint one out of department faculty member with the rank Associate
641 professor or higher to serve on the instructor DEP.
- 642 (2) Instructor-UEC: Shall consist of the UEC plus one (1) Distinguished
643 Instructor or Senior Instructor. If there is no individual with the rank Senior
644 Instructor, the Provost will choose one (1) Associate Professor from outside
645 the Instructor's department.
- 646 (d) Reappointment and/or Promotion Process, the Instructor Review.
- 647 (1) The Instructor-DEP and Instructor-UEC follow the same process as they do
648 for other faculty, except there is no outside letter requirement for Instructor
649 promotion, Senior Instructor promotion or Senior Instructor reappointment,
650 or Distinguished Instructor reappointment.
- 651 (2) For reappointment reviews of Instructors and Senior Instructors, the
652 Instructor-DEP provides its report directly to the Provost.
- 653 (3) Every third (3rd) reappointment review for Instructors, Senior Instructors,
654 and Distinguished Instructors requires an evaluation by the Instructor-UEC.
- 655 (4) Promotion reviews for Instructors and Senior Instructors require an
656 evaluation by the Instructor-UEC.
- 657 (5) Provost Review and Recommendation.
- 658 a. Both Instructor-DEP and Instructor-UEC reviews for Instructors
659 and Senior Instructors culminate in either a positive or negative
660 recommendation by the Provost as described in Section 6.8(d)(2).
- 661 b. These processes shall be consistent with that outlined for other
662 faculty in Section 6.8(d).
- 663 (6) President's Review and Authority. Actions on reappointments and
664 promotions by the President and Provost will be acted upon in the same
665 manner as described in Section 6.8(e).
- 666 (e) Reappointment Process, Professor of Practice Review.
- 667 (1) The Professor of Practice reappointment process follows the same process
668 as that for Distinguished Instructor.
- 669 (2) Every third (3rd) reappointment review for Professors of Practice requires
670 an evaluation by the Instructor-UEC.
- 671 (3) Provost Review and Recommendation.

- 710 **b.** evidence of a positive and growing reputation in his/her chosen sub-
711 field within the department’s mission, and;
- 712 **c.** promise of continued successful performance.
- 713 **(4)** The Provost will formally request input from the FRC as to the University
714 criteria before providing the finalized University criteria to each
715 department’s Chair.
- 716 **(c)** Department Clarifications of University Criteria. The department clarifications,
717 described in this section shall provide context for the broader University criteria
718 and:
 - 719 **(1)** be consistent with university requirements and faculty work assignments;
 - 720 **(2)** be detailed enough that a reasonable professor should be informed about the
721 expectations for performance or accomplishments which are necessary to
722 earn reappointment or promotion, assuming that the accomplishments are
723 of sufficient quality, quantity, and consistency, and;
 - 724 **(3)** identify some representative examples of the achievements or performance
725 characteristics which, if the requirement or distinction were met, are
726 appropriate comparisons for reappointment or promotion.
- 727 **(d)** Criteria and Department-Specific Clarification Review Process. Criteria and
728 department-specific clarifications shall be developed and approved on a bi-annual
729 cycle according to the following procedures:
 - 730 **(1)** Department Committee Formation and Membership.
 - 731 **a.** The Committee shall consist of:
 - 732 **1.** the Vice Provost of Academic Affairs (or Provost-designee);
 - 733 **2.** Department Chair of each respective department, and;
 - 734 **3.** two (2) faculty members from the department, at least one
735 (1) holding the most senior rank in the department, subject
736 to the limitations below in 6.10(d)(1)c).
 - 737 **b.** In years during which the clarifications are reviewed, department
738 faculty shall select their two (2) representative faculty members
739 during the first week of the fall semester.
 - 740 **c.** Exceptions to Department Committee Membership.
 - 741 **1.** The Department Committee requires senior-ranking
742 membership, followed by overall membership. If a
743 department has three (3) or more senior-ranking faculty
744 members, a senior-ranking faculty member that will be
745 reviewed in the next academic year’s review cycle may not
746 serve on the Department Committee.
 - 747 **2.** Similarly, if a department has more than ten (10) faculty

748 members, a junior-ranking faculty member that will be
749 reviewed for reappointment in the next academic year’s
750 review cycle may not serve on the departmental committee.

751 **3.** Faculty members that have resigned, received a notice of
752 non-reappointment or notice of layoff, instructors, and
753 visiting/adjunct faculty are not eligible to serve on the
754 Department Committee or participate in the Department
755 Committee selection process.

756 **(I)** However, Instructors who have served in a full-time
757 capacity for at least the most recent five (5)
758 consecutive years are eligible to serve on or
759 participate in the Department Committee selection
760 process as it relates to the development of
761 department-specific clarifications for instructors.

762 **(2)** Development of Department-Specific Clarifications.

763 **a.** The Provost shall provide a framework for department-specific
764 clarifications and formally charge the Department Committee to
765 develop and maintain written clarifications of the University’s
766 reappointment and promotion criteria in terms aligned with the
767 department’s discipline(s) and assigned duties, and consistent with
768 University standards as established in the most recent BOT-
769 approved version of the Faculty Handbook.

770 **b.** Upon receiving the University criteria and clarification framework,
771 the Department Committee shall convene to develop clarifications
772 of the University criteria consistent with the department disciplines
773 in accordance with the procedures outlined herein.

774 **c.** The Department Committee shall complete its review and finalize
775 the department clarifications within fifteen (15) days of receiving
776 the University’s criteria.

777 **(3)** Department Faculty Vote. Within ten (10) days of the Committee finalizing
778 the department clarifications, the department faculty shall conduct a
779 confidential and anonymous vote on said clarifications.

780 **a.** Faculty that are in their terminal year of employment (as a result of
781 non-reappointment, resignation, or layoff), visiting/adjunct faculty,
782 and instructors are not eligible to vote on the clarifications.
783 Instructors and Senior Instructors, however, are eligible to vote on
784 the department-specific clarifications for instructors.

785 **b.** If a majority of a department’s faculty vote in favor of the proposed
786 department clarifications, the department clarifications are
787 forwarded to the Provost for review and approval.

- 788
789
790
791
- c.** If the majority of a department’s professors do not vote in favor of the proposed department clarifications, the Department Committee shall reconsider the proposed clarifications prior to conducting a second vote.
- 792
793
794
795
- 1.** The Department Committee shall have five (5) days to reconsider the proposed clarifications and conduct a second vote within five (5) days of finalizing the second round of department clarifications.
- 796
797
798
- 2.** If the second vote is also unsuccessful, the proposed clarifications shall be forwarded to the Provost for approval, noting the lack of department faculty support.
- 799
800
801
802
- 3.** If a vote does not occur within five (5) days of the Committee finalizing the department clarifications, the department clarifications shall be forwarded to the Provost for review, noting that no vote occurred.
- 803
804
805
806
807
- (4)** Provost Review. Within ten (10) days of receipt, the Provost shall review the proposed department clarifications to ensure compliance with this Agreement, the mission and goals of the University, and University standards as established in the most recent, BOT-approved version of the Faculty Handbook.
- 808
809
- a.** The Provost will either approve the proposed department clarifications, or return them to the Committee for reconsideration.
- 810
811
812
- b.** In the event the Provost returns the proposed department clarifications to the Committee for reconsideration, he/she shall provide objections to any such provision in writing.
- 813
814
815
816
817
- (5)** Committee Reconsideration. The Department Committee shall reconsider the Provost’s written objections and within ten (10) days after receiving them, shall resubmit the proposed written clarifications to the Provost, incorporating all, some, or none of the objections, along with a written explanation and justification for the resubmitted language.
- 818
819
820
821
- (6)** Provost Reconsideration, Revision and Adoption. The Provost shall reconsider the department clarifications and issue final revisions or approvals with a final adoption of the criteria within seven (7) days after receiving the revised department clarifications.
- 822
- (e)** Changes in Criteria for Reappointment and Promotion for Professors.
- 823
824
825
826
827
- (1)** Following the Provost’s approval adoption of the final criteria, the University may modify the approved University criteria for reappointment and promotion so long as the UFF has been notified of the proposed changes and been offered an opportunity to discuss such changes in consultation with the President or designee.

828 (2) Changes to discipline-specific departmental clarifications may only be
829 considered if changes to the University criteria have been made as described
830 in (e)(1). Such changes to discipline-specific criteria shall be developed and
831 approved according to the process outlined in 6.10(d)(2).

832 (f) **Access to Criteria.** The Reappointment and Promotion criteria shall be available
833 on the Provost’s webpage (<https://floridapoly.edu/provost/>) and/or at the written
834 request of any faculty member.

835 **6.11 Non-Reappointment of Faculty**

836 (a) Faculty members on multi-year appointments cannot be terminated during the
837 contract period except for just cause, layoff, or termination of the funding source in
838 the case of soft money appointments.

839 (b) **Reappointment or Promotion Review.** If a faculty member has participated in a
840 reappointment or promotion review and is not provided with an offer of
841 reappointment or promotion,

842 (1) a faculty member with a remaining contract term of more than one (1) year
843 will be provided written notice of non-reappointment, advising that the
844 existing contract will not be renewed with no right to continued
845 employment, or;

846 (2) a faculty member with a remaining contract term of less than one (1) year
847 will be provided a notice of non-reappointment that the existing contract
848 will not be renewed, and the University shall offer a terminal contract which
849 supersedes the existing contract and expires one (1) year from the date of
850 the written notice, with no right to continued employment.

851 (c) If a professor chooses not to participate in a reappointment review, or in the case of
852 an Assistant Professor, chooses not to participate in the promotion process, the
853 professor will be administratively non-reappointed and the professor’s employment
854 shall end on the last date of the professor’s existing contract.

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

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

859 (f) **Payout option.**

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

864 (2) If the University elects this option, it will pay the employee an amount, less
865 withholding, equal to the salary for that portion of the remaining term of the
866 contract which the University is paying out, and the employee’s

867 employment will terminate immediately.

868 **6.12 Assistant Librarians and Wellness Counselors.**

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

870 (1) Assistant Librarian I & Wellness Counselor I.

871 a. Initial Contract Duration: two (2) years

872 b. Reappointment Contract Duration: two (2) years

873 c. Reappointment Cycle: two (2) years.

874 1. The University will review the Assistant Librarian I and
875 Wellness Counselor I during the second full spring term of
876 employment (or the first spring after four complete terms
877 depending on hire date) and thereafter in the fourth (4th)
878 semester of each contract cycle.

879 (2) Assistant Librarian II and Wellness Counselor II.

880 a. Initial Contract Duration: two (2) years

881 b. Reappointment Contract Duration: three (3) years

882 1. The University will review the Assistant Librarian II and
883 Wellness Counselor II during the second full spring term
884 after initial promotion and thereafter in the spring of the third
885 year of the reappointment contract.

886 (b) Reappointment Review Requirements & Process

887 (1) Candidate Required Materials: Candidates for reappointment must provide
888 the following materials in their reappointment “packet.”

889 a. The Employee Self-Review Worksheet provided by Human
890 Resources;

891 b. The candidate’s previous performance reviews;

892 c. An updated curriculum vitae;

893 d. If other materials are used as part of the review, the candidate will
894 be informed of this information, and provided a minimum of five (5)
895 days to respond to the information.

896 (2) Reappointment Process.

897 a. Dates for reappointment notification and submission of materials to
898 Supervisor will coincide with those for Faculty.

899 b. Considerations for reappointment include:

900 1. A review of goals, objectives, and accomplishments
901 achieved over the total review period.

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

941 (5) Promotion Process.

942 a. Dates for Promotion notification and submission of materials to
943 Supervisor will coincide with those for Faculty.

944 b. Considerations for Promotion include:

945 1. A review of goals, objectives, and accomplishments
946 achieved over the total review period.

947 2. Specific goals, tasks, or assignments derived from annual or
948 periodic evaluations.

949 3. Candidate's likelihood for continued success and
950 appropriate contribution on institutional initiatives.

951 4. Any additional criteria established via the process for
952 University Criteria for Reappointment and Promotion
953 established for faculty positions.

954 c. Promotion Decisions

955 1. May include inputs from relevant campus stakeholders, such
956 as students, faculty, and other staff.

957 2. Must be considered by the supervisor, the Provost, and the
958 Vice Provost of Student Affairs.

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

961 (d) Non-Reappointment.

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

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

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

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

974 (5) Payout option.

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

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

983 **6.13 Grievability.**

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

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

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

997 (d) The remedy for any grievance filed under this provision, if successful, shall not
998 include an award of reappointment or promotion.

999 (e) Such grievances must be filed within thirty (30) days of the Candidate’s receipt of
1000 the denial of promotion or reappointment from the President as described in
1001 6.8(e)(3) or the President’s denial of an appeal as described in Section 6.8(d)(2)c.4.

1002 (f) Reports and recommendations from the DEP, UEC, and Provost shall be available
1003 for arbitration proceedings consistent with the requirements described in Florida
1004 Polytechnic University Rule 6C13-6.008.