

ARTICLE 6 – APPOINTMENT & PROMOTION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

6.1 General Principles 1
6.2 Employment Contract 2
6.3 Faculty Appointment and Reappointment Contract Duration 3
6.4 Reappointment and Promotion Review Eligibility and Requirements 8
6.5 Promotion Categories and Eligibility Criteria for Faculty 10
6.6 Reappointment and/or Promotion Materials for Assistant Professors, Associate Professors, and Professors. (Note: Instructors see Section 6.9) 13
6.7 Reappointment and/or Promotion Process: Types, Notices, and Committee Memberships for Assistant Professors, Associate Professors, and Professors 15
6.8 Reappointment and Promotion Procedure for Assistant Professors, Associate Professors, and Professors 23
6.9 Reappointment and Promotion for Instructors and Senior Instructors. 29
6.10 Development of Reappointment and Promotion Criteria for Instructors, Assistant Professors, Associate Professors, and Professors. 32
6.11 Non-Reappointment of Faculty 37
6.12 Assistant Librarians and Wellness Counselors. 38
6.13 Grievability 43

21 **6.1 General Principles.**

22 (a) The University and UFF recognize that Florida Polytechnic University is a new
23 institution, and as such, both parties accept that flexibility is required as we develop
24 an excellent faculty through the process of appointment and promotion. The
25 University and UFF share the desire to improve the quality of the University in all
26 areas, but particularly in the execution of teaching, research, and service by the
27 faculty. This article balances a recognition of the University’s unique history,
28 newness, and current situation with a shared desire for continuous improvement.

29 (b) Faculty are defined as individuals whose primary responsibilities include teaching,

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

1 service, and where applicable, research. Faculty included in this contract are
2 designated by ranks of Instructor, Senior Instructor, Assistant Professor, Associate
3 Professor, and Professor.

4 ~~(b)~~(c) The University and UFF further recognize that reappointment and promotions are
5 an important method by which the University recognizes excellence and rewards
6 its employees' contributions to advancing the mission of the University.

7 ~~(e)~~(d) Reappointment and promotion decisions are not determined by any sole factor and
8 are based upon a careful and rigorous assessment that relies upon faculty and
9 administrative review of:

- 10 (1) ~~an employee's~~ faculty member's demonstrated teaching, scholarship,
- 11 research, service contributions, and other work duties, as relevant, at the
- 12 University;
- 13 (2) the assessment of the ~~employee's~~ faculty member's continued positive
- 14 contribution to their department and the University, and;
- 15 (3) the ~~employee's~~ faculty member's potential for continued appropriate
- 16 contributions and growth.

17 ~~(d)~~(e) Elements critical to the promotion process ~~may~~ include, but may not be limited to:

- 18 (1) ~~an employee's~~ faculty member's annual performance evaluations;
- 19 (2) a significant and careful review of credentials by a set of faculty that hold
- 20 at least the rank sought by the Candidate;
- 21 (3) an external set of recommendations appropriate for that faculty member by
- 22 subject matter experts in the Candidate's field, and;
- 23 (4) administrative review.

24 ~~(e)~~(f) Every Candidate for reappointment and/or promotion will be fairly evaluated, and
25 the integrity of the evaluation process will be maintained to the highest degree.

26 ~~(f)~~(g) Non-reappointments shall not be made in an arbitrary or capricious manner.

27 **6.2 Employment Contract.**

28 ~~(f)~~(a) All appointments will be made on the University employment contract and signed
29 by the President or designee, and the employee.

Commented [AML1]: Promoted to new section from UFF 6.2(b)

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

1 ~~(2)(b)~~ No appointment or assignment will create any right, interest, or expectancy in any
2 other appointment or assignment beyond its specific terms, except as provided in
3 this Agreement.

4 ~~a.(1)~~ No special commitment or conditions offered to new hires shall bind the
5 University indefinitely.

6 ~~b.(2)~~ A special commitment or condition will be observed unless it is no longer
7 financially or logistically feasible or circumstances have changed enough
8 that it is no longer in the legitimate interests of the University.

9 ~~e.(3)~~ If the university decides not to observe a special commitment or condition,
10 the university will inform the employee ~~within ten (10) days of that~~
11 ~~decision in a timely manner~~. Upon the employee's request, the university
12 will provide a written justification of its decision not to observe the special
13 commitment or condition.

14 ~~(3)(c)~~ Appointments expire on the date set forth in the faculty member's employment
15 contract. No further notice of cessation of employment is required, unless otherwise
16 provided in this Agreement.

17 ~~(4)(d)~~ If the University intends to offer a faculty member reappointment, the University
18 will inform the faculty member by August 15 following the academic year in which
19 the reappointment review was conducted.

20 ~~(5)(e)~~ Resignation.

21 ~~a.(1)~~ An employee who wishes to resign has the professional obligation, when
22 possible, to provide the University with sufficient notice to avoid
23 scheduling and classroom disruptions or, where the employee does not have
24 an instructional assignment, a minimum of ~~two (2) weeks~~ ~~four (4) weeks'~~
25 notice.

26 ~~b.(2)~~ Upon resignation, all consideration for reappointment and promotion will
27 cease.

Commented [AML2]: Although this is difficult to enforce,
we'd prefer to align ourselves with more normal academic
life and say four weeks if possible.

28 **6.3 Faculty Appointment and Reappointment Terms-Contract Duration.**

29 ~~(a)~~ ~~Terms~~ Contract duration for faculty appointments and reappointments are as
30 follows:

31 ~~(1)~~ ~~Instructor and Senior Instructor~~

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date

Date

- 1 ~~a. Initial ~~term~~Contract duration: two (2) years~~
- 2 ~~b. Reappointment ~~term~~Contract duration: two (2) years. The~~
- 3 ~~University will provide instructors with its reappointment decision~~
- 4 ~~at least one (1) year prior to the end of the instructor's current~~
- 5 ~~contract~~
- 6 ~~c. Promotion Contract duration: Faculty promoted from Instructor to~~
- 7 ~~Senior Instructor shall receive an initial appointment contract~~
- 8 ~~duration of (3) years.~~
- 9 ~~Probationary reappointment:~~
- 10 ~~— This process will be used for the first and second~~
- 11 ~~reappointment decisions (at the end of years one (1) and two~~
- 12 ~~(2) of the instructor's employment).~~
- 13 ~~— Reappointment decisions must be considered by the~~
- 14 ~~supervisor, the Provost, and the Vice Provost of Student~~
- 15 ~~Affairs. Said consideration will be based on the Instructor's~~
- 16 ~~performance reviews since their employment began at~~
- 17 ~~Florida Poly as well as their application and supporting~~
- 18 ~~materials. If other materials are used as part of the review,~~
- 19 ~~the candidate will be informed of this information, and~~
- 20 ~~provided a minimum of five (5) days to respond to the~~
- 21 ~~information.~~
- 22 ~~— Upon request, the Provost will provide a written justification~~
- 23 ~~for his/her decision.~~
- 24 ~~Regular reappointment~~
- 25 ~~— This process will be used for all reappointment decisions~~
- 26 ~~after the second decision (at the end of year three (3) as well~~
- 27 ~~as all subsequent years).~~
- 28 ~~— An instructor or senior instructor will be reappointed unless~~
- 29 ~~they have received at least one "Deficient" or two~~
- 30 ~~consecutive "Needs Improvement" overall annual~~
- 31 ~~evaluation results (or equivalent) in the previous four (4)~~
- 32 ~~years, has completed a Performance Improvement Plan (see~~

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

~~8.10) and received a “Deficient” or “Needs Improvement” (or equivalent) in their next annual evaluation after the completion of the Performance Improvement Plan.~~

~~If an instructor or senior instructor is not automatically reappointed (see 6.2 (c)), the reappointment decision will be made by the Provost after consultation with the Department Chair and, if present, Division Director. The Provost’s decision will be based on:~~

~~— A personal statement written by the instructor;~~

~~— The instructor’s performance reviews over the prior four (4) years;~~

~~— Faculty dossiers for past four (4) years, and;~~

~~— Other supporting materials. If supporting materials are used as part of the review, the Candidate will be informed of this information, and provided a minimum of five (5) days to respond to the information.~~

~~Upon request, the Provost will provide a written justification for their decision.~~

~~(2) Senior Instructor~~

~~a. Initial contract duration: three (3) years~~

~~b. Reappointment contract duration: three (3) years~~

~~(3) Assistant Professor.~~

~~a. Initial Contract termDuration: three (3) years.~~

~~Assistant Professor 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.~~

~~Individuals whose employment did not start at the beginning of the fall semester will have their Preliminary Review~~

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

~~delayed to the first spring semester following the completion of a minimum of five (5) full, contiguous semesters following their initial appointment.~~

Commented [AML3]: Moved to FPU 6.4

b. ~~Reappointment term~~Contract Duration: three (3) years.

~~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).~~

~~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 reappointment term.~~

Commented [AML4]: Moved to FPU 6.4

c. ~~Promotion term~~Contract duration: Faculty members promoted from Assistant to Associate Professor shall receive an appointment Contract term duration of six (6) years

~~Leave extension~~

~~The University may, at its sole discretion, permit a faculty member to delay promotion review by granting a maximum one (1) year extension at this rank due to a valid request for FMLA or other appropriate leave.~~

~~Additional extensions beyond the extra year are not permitted.~~

Commented [AML5]: Moved to FPU 6.4

~~Pandemic extension~~

~~Assistant professors employed at Florida Poly prior to January 15, 2021 and who have not already been denied reappointment will receive a one (1) year extension on their current contract and be allowed to delay their promotion application by one (1) year.~~

~~(4) Associate and Full Professors~~

a. ~~Initial term~~Contract Duration: three (3) years, unless the University determines that an initial term of four (4) or five (5) years is

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

appropriate or warranted. The reason for a longer initial term shall be provided to the UFF upon request.

b. Reappointment terms-Contract Duration:

1. Three (3) years based upon a Preliminary Review (see Section 6.7(a)(1)).

2. Six (6) years based upon a Full Review (see Section 6.7(a)(2)).

c. Promotion Contract Duration: Individuals promoted from Associate Professor to Professor shall receive an appointment term of six (6) years.

~~At the end of the initial three (3) year appointment, the faculty member will be issued a new three (3) year contract.~~

~~At the end of each year during all contracts subsequent to the initial three (3) year contract, the faculty member will receive a new three (3) year contract unless they have received an evaluation rating for the previous completed review period of "Deficient" or equivalent, or have received an evaluation rate of "Needs Improvement" evaluations over the previous two consecutive review periods.~~

~~A faculty member who fails to receive a new three (3) year contract will receive a new contract consisting of the remaining length on their contract plus (1) year if they receive an evaluation of "Meets Expectation," or equivalent, or better for a subsequent review period.~~

~~Subsequent to failing to receive a new three (3) year contract, the faculty member will receive a new contract of three (3) years if they receive an evaluation rating of "Meets Expectation," or equivalent or better for two consecutive review periods.~~

~~Subsequent to returning to a full three (3) year contract, the faculty member will be subject to the process in 6.2 (a) (4) b. 2. 4.~~

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

1 (5) Professor

2 a. Initial Contract Duration: six (6) years, unless the University
3 determines that it is in its best interest to offer an initial contract with
4 a preliminary duration.

5 e.b. Reappointment Contract Duration: six (6) years when based upon a
6 Full Review (see Section 6.7(a)(2)).

7 ~~6.36.4~~ **Reappointment and Promotion Review Eligibility and Requirements.**

8 (a) Faculty are eligible for Reappointment and Promotion Reviews during the
9 following periods:

10 (1) Instructor

11 a. Reappointment Cycle: two (2) years. Instructors receive an
12 Instructor’s Review during the spring semester of the final year of
13 their initial appointment and a biennial instructor’s review
14 (occurring every two years) thereafter.

15 b. Individuals whose employment did not start at the beginning of the
16 fall semester will have their Instructor’s Review delayed to the first
17 spring semester following the completion of a minimum of four (4)
18 full, contiguous semesters following their initial appointment.

19 (2) Senior Instructors

20 a. Reappointment Cycle: three (3) years after Promotion or initial
21 contract – Instructor’s Review during the spring semester of the
22 third (3rd) year after their first promotion period (6th full semester as
23 a Senior Instructor).

24 ~~(+)(3)~~ Assistant Professor

25 a. Preliminary Review (see 6.7(a)(1)).

26 1. Preliminary Review for reappointment begins at the start of
27 the first spring semester following the completion of a
28 minimum five (5) full, contiguous semesters at the current
29 appointed rank.

30 2. Individuals whose employment did not start at the beginning

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

Commented [AML6]: Moved from UFF 6.2(a)(3)

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 term: Faculty members

~~e.1. Assistant Professors must be promoted from Assistant to Associate Professor shall by the end of their second (2nd) reappointment term, noting 6.4(a)(3)a.3 above, in order to receive an appointment term of six (6) years a contract with a duration greater than a single terminal year.~~

~~1. Leave extension~~

~~(H)2.~~ The University may, at its sole discretion, permit a faculty member to delay promotion review by granting a maximum one (1) year extension at this rank due to a valid request for FMLA or other appropriate leave.

~~(H)3.~~ Additional extensions beyond the extra year are not permitted.

~~2. Pandemic extension~~

~~(I) Assistant professors employed at Florida Poly prior to January 15, 2021 and who have not already been denied reappointment will receive a one (1) year extension on their current contract and be allowed to delay their promotion application by one (1) year.~~

~~4. In order to be considered for promotion, a faculty member~~

Commented [AML7]: This is better suited for a MOU rather than the full contract.

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

1 must have a Full Review as described in Section 6.7(a)(2).

2 (4) Associate Professor

3 a. Preliminary Review (see Section 6.7(a)(1)).

4 1. Preliminary review for reappointment is only available to
5 Associate Professors as their first review after their initial
6 appointment if their initial appointment is less than six (6)
7 years.

8 2. Preliminary Review for reappointment begins at the start of
9 the spring semester of the final year of their contract.

10 b. Full Review (see Section 6.7(a)(2)).

11 1. Full reviews are required to be completed before the
12 expiration date of a candidate's existing contract if the
13 individual is not eligible for preliminary review.

14 2. Individuals that are employed on a contract based on a
15 preliminary review must have the subsequent review be a
16 Full review.

17 3. The full review may be used, at the Candidate's election, to
18 also request promotion to the rank of Professor.

19 (5) Professor:

20 a. Reappointment is based upon a Full Review (see Section 6.7(a)(2)).

21 **6.6.5 Promotion Categories and Eligibility Criteria- for Faculty.**

22 (a) Subject to the requirements set forth herein, faculty holding the rank of Instructor,
23 Assistant Professor and Associate Professor shall be eligible to apply for promotion
24 to the next higher rank.

25 (b) Professional Ranks:

26 (1) Instructor to Senior Instructor.

27 a. Senior Instructors are at their highest rank possible and cannot be
28 promoted to Assistant Professor.

29 (2) Assistant to Associate Professor.

Commented [AML8]: Moved from UFF 6.6

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

1 (3) Associate Professor to Professor.

2 ~~(a)(c)~~ Notice of Intent. ~~Individuals~~Faculty that seek promotion ~~from Associate Professor~~
3 ~~to Professor or Instructor to Senior Instructor~~ must declare their intent to seek
4 promotion in writing to the Provost and their Department Chair or Division Director
5 (if applicable), no later than ~~August 1 before~~the start of the fall semester in
6 the academic year in which they will seek promotion.

7 ~~(b)(d)~~ Minimum Qualifications.

8 ~~a.~~(1) ~~Professors~~Faculty (including Instructors) must serve at least five (5)
9 academic years at their current rank in order to qualify for promotional
10 consideration to a higher rank.

11 ~~b.~~(2) At least two (2) of the five (5) immediately preceding academic years must
12 be served at the University.

13 ~~e.~~(3) The University, at its discretion, may provide exceptions to these minimum
14 qualifications upon request of a ~~professor~~faculty member and approval of
15 their Chair, Director (when a Director is present), and the Provost or
16 designee.

17 ~~(2) Instructors~~

18 ~~a. To qualify for promotion, an individual who is classified as an~~
19 ~~instructor must fulfill the following criteria:~~

20 ~~1. Continued employment;~~

21 ~~2. Has not been given notice of non-reappointment or~~
22 ~~termination;~~

23 ~~3. Not initially hired at a rank higher than Instructor;~~

24 ~~4. A minimum of 5 years of successful full-time academic~~
25 ~~service (must have ratings of "meets expectations" or better~~
26 ~~in at least 4 of 5 most recent years of service) in rank at~~
27 ~~Florida Poly;~~

28 ~~(1) Full-time service is defined as 1.0 FTE for 39 weeks~~
29 ~~of any academic year contract; Some part-time~~
30 ~~service may be combined, so long as the most recent~~

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

~~6 semesters are full time service, exclusive of summers.~~

~~b. Instructors are not required to seek promotion, and there is no penalty for an unsuccessful bid for promotion. An instructor may withdraw his or her bid for promotion at any time and stop the process without concern for any recourse.~~

~~(3) Assistant Librarian and Wellness Counselors~~

~~a. To qualify for promotion, an individual who is classified as an instructor must fulfill the following criteria:~~

- ~~1. Continued employment;~~
- ~~2. Has not been given notice of non-reappointment or termination;~~
- ~~3. In good standing (no disciplinary letters, etc.) for at least the last 2 years;~~
- ~~4. Employees who have worked for 3 years full years and are in their 4th year of employment with the university and under consideration for promotion must not have received an annual review rating of less than "meets expectations" at any time; and~~
- ~~5. Employees who have worked four or more years for the University and are in their fifth or more year of employment with the University must not have received a rating of less than "meets expectations" in any of the preceding 3 annual evaluations.~~
- ~~6. Exceptions may be granted by the President.~~

~~b. Assistant Librarians and Wellness Counselors are not required to seek promotion, and there is no penalty for an unsuccessful bid for promotion. Upon reaching eligibility, the Assistant Librarian or Wellness Counselor should inform his or her supervisor of their intent to apply for promotion. An Assistant Librarian or Wellness~~

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

Counselor may withdraw his or her bid for promotion at any time and stop the process without concern for any recourse.

~~(e) If the University previously promoted the Candidate, the promotion assessment shall be based on the Candidate's performance since the Candidate's last promotion.~~

~~(d) If the University has not previously promoted the Candidate, the promotion assessment is cumulative and must include consideration of the Candidate's achievements prior to employment at the University. However, the Candidate's promotion assessment must also establish that the Candidate has continued to progress and achieve in the categories and criteria used for reappointment and/or promotion while employed at the University.~~

6.6 Reappointment and/or Promotion PacketMaterials for Assistant Professors, Associate Professors, and Professors. (Note: Instructors see Section 6.9) The Reappointment and/or Promotion Review Packet ("Packet"), utilized in the procedure set forth in Section 6.7, shall include, at a minimum, the following:

Commented [AML9]: Moved from UFF 6.4

~~(a) The candidate submits a "dossier" in support of their reappointment or promotion.~~

~~(b) The promotion "packet" is the body of material that includes the dossier, letters of reference if required, any supplemental information considered by the committees or Provost and the candidate's response to that supplemental information, and committee recommendations as specified by the process.~~

~~(c) Candidate Prepared Dossier. A Candidate for reappointment or promotion must prepare a dossier for consideration, which must include: a personal statement from the Candidate and elements that show the Candidate's demonstrated abilities and competencies in teaching, service, and research—including, but not limited to, all evaluation materials from prior four performance reviews received since their last reappointment if applicable (if not, all performance reviews received), faculty activity reports from two (2) prior years of employment at the University.~~

~~(d) Faculty Dossier contents:~~

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

~~(2) Intentional or significant misrepresentations contained in the Candidate's~~

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date

Date

dossier shall serve as cause for termination.

(e) Faculty Dossier format.

~~(2)~~(1) The Provost shall develop the format and guidelines for the Candidate Prepared Dossier and send them to the Faculty Representative Council (“FRC”) for review and comment by February 15 of the spring semester in even numbered calendar years.

~~(3)~~a. The FRC shall review, within fourteen (14) days of receipt, the format and guidelines and shall recommend approval or changes to the Provost.

~~(4)~~b. Should the FRC recommend changes, the Provost shall, within ten (10) days, either accept the changes or give a written justification for not accepting the changes.

~~(5)~~(2) The Candidate Prepared Dossier must follow the final format as finalized by the Provost and faculty are solely responsible for the content within, and production of, the dossier. However, faculty will not be penalized for minor formatting errors. Review committees may choose to not consider dossier’s that do not follow the format.

(f) Reference Letters.

~~(b)~~(1) Reference letters are required for promotion reviews and “full” reviews.

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

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

~~(4)~~(4) Reference letters are confidential and will be requested using a template that instructs the external reviewer regarding the materials supplied, and any special considerations, including the University’s history, teaching expectations, and research infrastructure. This template will be developed according to and as part of the process laid out in Section ~~6-8.6.6(f)(5)~~

~~(2)~~(5) Requesting Reference Letters.

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

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date

Date

- 1 b. The Candidate “nominates” up to four (4) individuals to provide
- 2 reference letters.
- 3 c. The Division Director, or if the academic unit does not belong to a
- 4 division, Department Chair, in conjunction with the Department (or
- 5 Division) Evaluation Panel (“DEP”) formally requests all external
- 6 reference letters, which shall include at a minimum two (2)
- 7 individuals nominated by the Candidate, and a minimum of two (2)
- 8 letters from individuals not nominated by the Candidate.

(6) Request for Reference Letter template

- a. The Provost (or designee) will draft a letter that specifies what materials will be provided to the external referee and provide the letter to the UEC.
- b. The UEC will consider and then edit the letter and provide the letter for use to the DEP for their use.

(3)(7) The confidential reference letters shall be included for review with Candidate’s dossier and any supplemental materials.

- a. ~~A single negative reference may not be the sole basis for not reappointing a candidate or for not promoting a Candidate.~~
- b. ~~Promotion and reappointment decisions shall not be based solely on the reference letters received.~~
- a. A list of the names of all individuals asked to provide a review and whether any declined to provide this review, and reason given, if any, will also be included in the Packet.

Commented [AML10]: Moved to FPU 6.8(a)(3)

6.86.7 Reappointment and/or Promotion Procedure Process: Types, Notices, and Committee Memberships for Assistant Professors, Associate Professors, and Professors and Instructors. The below procedure shall be followed for all reviews related to reappointment and promotions.

Commented [AML11]: Moved from UFF 6.8

- (a) Types of Review Processes.
- (1) ~~Assistant Professor~~Preliminary Review.

For the University	For the UFF
Alex Landback Chief Negotiator	Myles Kim Chief Negotiator
Date _____	Date _____

- 1 ~~a. An Assistant Professor review is primarily intended to assess an~~
- 2 ~~Assistant Professor’s progress towards promotion and to provide an~~
- 3 ~~opportunity to correct any deficiencies that might prevent~~
- 4 ~~promotion.~~
- 5 ~~b. An Assistant Professor will be reappointed unless they have~~
- 6 ~~received at least one “Deficient” or two “Needs Improvement” (or~~
- 7 ~~equivalent) overall annual evaluation results during their first two~~
- 8 ~~years of employment.~~
- 9 ~~(2) Instructor Promotion Review~~
- 10 ~~a. A review that does not include external letters, and is only conducted~~
- 11 ~~by the Department Evaluation Panel (as described below in Section~~
- 12 ~~6.7(c)).~~
- 13 ~~b. Promotional Results of this review are provided directly to the~~
- 14 ~~Provost for consideration.~~
- 15 ~~(3)(2) Full Review.~~
- 16 ~~a. A review that includes external letters and is conducted by the~~
- 17 ~~Department Evaluation Panel (“DEP”), then the University~~
- 18 ~~Evaluation Committee (“UEC”).~~
- 19 ~~a.b. Results of the reviews are then provided to the Provost for~~
- 20 ~~consideration, except in Sections 6.7(d)(2)d & 6.8(c)(5)a, in which~~
- 21 ~~the results of the reviews are directly provided to the President for~~
- 22 ~~consideration.~~
- 23 **(b) Notice of Review Requirement**
- 24 **(1) Individuals that require ~~an Assistant Professor~~ Preliminary Review (as**
- 25 **specified in Section 6.7(a)(1)), due to their appointment expiring in the**
- 26 **coming year, will be notified of the requirement for review no later than**
- 27 **December 10, prior to the spring semester in which their review must be**
- 28 **completed.**
- 29 **(2) ~~On or before August 1, before~~ Before the start of the fall semester in the year**
- 30 **when an individual must seek reappointment, the University will provide**
- 31 **notice to professors who ~~must apply for promotion from Assistant to~~**

Commented [AML12]: Moved to FPU 6.9

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

- 1 ~~Associate Professor to maintain their appointment.;~~
- 2 a. must apply for promotion from Assistant to Associate Professor to
- 3 maintain their appointment, or;
- 4 b. must participate in a Full Review to renew their appointment.
- 5 (3) Notice from the University will provide information relevant to the
- 6 applicable reappointment/promotion process including instructions and
- 7 deadlines.
- 8 (4) Within fifteen (15) days of receiving such notice, eligible professors will
- 9 inform the University of their election to apply for promotion or proceed
- 10 with reappointment.
- 11 (5) ~~Professors~~Candidates for reappointment or promotion shall provide the
- 12 University with their ~~Packet~~dossier by the deadline set forth in the notice
- 13 referenced herein.

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

(1) DEP Chair.

- a. The Division Director, if present, or if there is not a division, the Department Chair serves as the chair of the DEP if he or she holds the appropriate faculty appointment rank.
- b. If the Division Director or Department Chair does not hold the appropriate rank, the Provost will appoint a chair for the DEP.

(2) DEP Membership.

~~For reviews of Assistant and Associate and Assistant Professors,~~

- a. ~~The DEP shall typically consist of faculty of a higher rank than the Candidate within the Candidate’s division, or if no division is present, within the Candidate’s department. When there are an insufficient number of faculty to meet the minimum requirements for a DEP, the process below will be used to form a DEP.~~

~~1. However, if there are not enough qualified faculty members in a Candidate’s division, or if no division is present, within the Candidate’s department, faculty members of the same~~

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

- 1 rank but with at least three years' experience at that rank will
- 2 be eligible to serve on the committee.
- 3 ~~2. In some cases, this requirement will lead to varying~~
- 4 ~~membership on DEP committees based on the cases that are~~
- 5 ~~being considered.~~
- 6 ~~b. For Reviews of Instructors,~~
- 7 ~~1. The DEP shall typically consist of Senior Instructors,~~
- 8 ~~Associate Professors, and Professors within the Candidate's~~
- 9 ~~division, or if no division is present, within the Candidate's~~
- 10 ~~department.~~
- 11 ~~2. In some cases, this requirement will lead to varying~~
- 12 ~~membership on DEP committees based on the cases that are~~
- 13 ~~being considered.~~
- 14 ~~e. With the possible exception of the DEP chair, the DEP will have no~~
- 15 ~~members who are outside the bargaining unit.~~
- 16 ~~d.b.~~ There must be a minimum of five (5) qualified (appropriately
- 17 ranked) individuals serving on the DEP.
- 18 1. If the number of individuals available to serve on the DEP is
- 19 less than five (5), the Provost and DEP Chair will each select
- 20 a faculty member or, if necessary, two (2) faculty members
- 21 of appropriate rank from another unit at the University to
- 22 serve on the DEP.
- 23 ~~2. If the DEP includes no members from the candidate's~~
- 24 ~~department, the DEP will request input from the department~~
- 25 ~~chair before finalizing its recommendation. This input must~~
- 26 ~~include a meeting of at least fifteen (15) minutes with the~~
- 27 ~~chair focused solely on discussing the candidate.~~
- 28 ~~e. If the Department chair is the candidate and no member from the~~
- 29 ~~chair's department is a member of the DEP, the Provost or designee~~
- 30 ~~shall select a member of the chair's department to provide input to~~
- 31 ~~the DEP before the DEP finalizes their recommendation. This input~~

Commented [AML13]: Accepted the increase in #

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

~~must include a meeting of at least fifteen (15) minutes with the chair focused solely on discussing the candidate.~~

~~f.c.~~ Individuals that are in the terminal year of their employment contract (as a result of non-reappointment, resignation, or layoff) or those who received “Needs Improvement” ~~or or~~ “Deficient” ~~(or equivalent)~~ (or “Unsatisfactory”) in their most recent performance evaluation are not eligible to serve on the DEP.

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

~~(3) DEP Report and Recommendation~~

~~a.~~ The University shall provide the Packet (see as described in Section 6.5) to the DEP for review.

~~1.~~ The DEP may acquire and provide supplemental materials and/or other information as appropriate.

~~2.~~ If supplemental materials and/or other information is used as part of the review, the Candidate will be informed of the use of this information and provided a minimum of five (5) days, but no longer than ten (10) days, to respond to the information.

~~b.~~ For Assistant Professor Reviews

~~1.~~ If the faculty member was automatically reappointed (see 6.8 (a) (1) b.), the DEP will prepare a report assessing the faculty member’s progression towards promotion. This report will be provided to the faculty member.

~~2.~~ Otherwise, the DEP will prepare and provide a report and recommendation to the Provost directly.

~~e.~~ For Instructor Promotion, and Promotion Reviews, the DEP will prepare and provide a report and recommendation to the Provost.

~~d.~~ The DEP’s recommendation will be based on majority vote. The vote will be taken anonymously.

Commented [AML14]: Moved to FPU 6.8(b)(3)

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

~~e. The DEP must operate in executive session and in total confidentiality.~~

~~f. All DEP reports, recommendations, and work product constitute faculty evaluative information and/or limited access records, pursuant to Florida Polytechnic University Rule 6C13-6.008.~~

(d) University Evaluation Committee (“UEC”) membership.

(1) UEC Membership.

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

1. Individuals that are in their terminal year of employment (as a result of non-reappointment, resignation, or layoff), or those who received “Needs Improvement”, “Unsatisfactory” or “Deficient” in their most recent performance evaluation, are not eligible to serve on the UEC.

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

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

c. If fewer than three (3) individuals are eligible to staff the UEC, the UEC will be chaired by the Provost with all eligible faculty serving as members.

(2) Number of UEC Members.

a. If fewer than ten (10) individuals with the rank Professor are on staff at the University, the UEC will consist of three (3) to five (5) individuals at the discretion of the University.

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

- 1 b. With ten (10) to twenty (20) Full Professors on staff, the UEC will
- 2 consist of five (5) to seven (7) individuals at the discretion of the
- 3 University.
- 4 c. With more than twenty (20) Full Professors on staff, the UEC will
- 5 consist of seven (7) members.
- 6 d. If, during the review of an individual with rank Professor, if the
- 7 faculty member's unit does not have a minimum of four (4)
- 8 individuals with the rank of Professor, the UEC will be the sole
- 9 reviewing committee for that faculty member.
- 10 e. The UEC must operate in executive session and in total
- 11 confidentiality.

~~(d) Provost's Review and Recommendation:~~

Commented [AML15]: Moved to FPU 6.8(d)

~~(1) For Assistant Professor when reappointment is not automatic, Instructor Promotion, and Promotion Reviews~~

- ~~a. The Provost shall review all procedural and substantive matters for completeness in order to ensure that the DEP has met their responsibilities in this Article.~~
- ~~b. After a careful review of the report and recommendation of the DEP and the Candidate's packet, the Provost shall make a positive or negative recommendation in writing as to the Candidate's reappointment or promotion.~~
 - ~~1. The Provost's recommendation, if positive, is provided to the President consistent with Section 6.8(e).~~
 - ~~2. If the Provost's recommendation is negative, the decision and written justification are provided to the Candidate. Unless overturned on appeal by the President, negative recommendations from the Provost are terminal.~~
 - ~~3. The process for appealing a negative recommendation from the Provost is as follows:~~
 - ~~(1) Within ten (10) days of the Provost's written justification being provided the Candidate may~~

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

1 submit a written appeal to the Office of the President
2 (president@floridapoly.edu). In this appeal, the
3 Candidate may explain the grounds for their appeal
4 and point out any errors or omissions in the DEP's
5 report and Provost's written justification.

6 (II) Upon receipt of the Candidate's appeal, the President
7 will review the Provost's negative recommendation,
8 the DEP committee report, and the Candidate's
9 packet.

10 (III) The scope of the President's appellate review is
11 limited to the correcting errors of judgment or
12 process.

13 (IV) Within twenty (20) days of receipt of the Candidate's
14 appeal, the President will render a decision either
15 granting or denying the appeal on its merits.

16 (2) The Provost's recommendation, written justification, and/or decision as a
17 result of the review process constitute faculty evaluative information and/or
18 limited access records, pursuant to Florida Polytechnic University Rule
19 6C13-6.008.

20 (e) ~~President's Review and Authority~~. The President shall have the sole authority to
21 grant a Candidate's reappointment or promotion and will act upon the request for
22 reappointment or promotion provided by the Provost.

Commented [AML16]: Moved to FPU 6.8(e)

23 (1) The granting of reappointment or promotion shall be based on the
24 University's criteria, clarifications produced by the Candidate's unit or
25 department, the report and recommendation of the DEP, any documents
26 relied upon by the DEP in creating their report and recommendation, the
27 Candidate's packet, the written recommendation of the Provost, and the
28 Candidate's written appeal.

29 (2) The President will consider the items listed above, noting that the committee
30 reports have provided a strong review of the candidate, and either:

31 a. grant reappointment or promotion within the terms of this contract,
32 or;

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date

Date

~~b. deny the request for reappointment or promotion~~

~~1. If the President's final decision on reappointment and promotion is negative, the Candidate may request a written justification of the decision within ten (10) days.~~

~~2. Upon such a request, the President shall provide, within twenty (20) days, written justification to the Candidate.~~

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

~~(g) The Candidate being considered for promotion may withdraw from consideration provided that the withdrawal is made before the UEC begins its consideration of the Candidate. Such withdrawal shall be without prejudice and will not render the Candidate ineligible for the next promotional cycle.~~

~~(h) Promotion Date.~~

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

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

~~6-66.8 Reappointment and/or Promotion Procedure for Assistant Professors, Associate Professors, and Professors and Instructors.~~

~~(a) General Rules.~~

~~(1) Previously Promoted. If the University previously promoted the Candidate, the promotion assessment shall be based on the Candidate's performance since the Candidate's last promotion.~~

~~(2) Not Previously Promoted.~~

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

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date

Date

- 1 b. ~~However, the Candidate’s promotion assessment must also establish~~
- 2 ~~that the Candidate has continued to progress and achieve in the~~
- 3 ~~categories and criteria used for reappointment and/or promotion~~
- 4 ~~while employed at the University.~~
- 5 ~~a.~~ (3) Reference Letters for Promotion and Full Reviews.
- 6 a. ~~A single negative reference may not be the sole basis for not~~
- 7 ~~reappointing a candidate or for not promoting a Candidate.~~
- 8 b. ~~Promotion and reappointment decisions shall not be based solely on~~
- 9 ~~the reference letters received.~~
- 10 (4) Department Inputs.
- 11 ~~1-a.~~ a. ~~If the DEP includes no members from the candidate’s department,~~
- 12 ~~the DEP will request input from the department chair before~~
- 13 ~~finalizing its recommendation. ~~This input must include a meeting of~~~~
- 14 ~~at least fifteen (15) minutes with the chair focused solely on~~
- 15 ~~discussing the candidate.~~
- 16 b. ~~If the Department chair is the candidate and no member from the~~
- 17 ~~chair’s department is a member of the DEP, the Provost or designee~~
- 18 ~~shall select a member of the chair’s department to provide input to~~
- 19 ~~the DEP before the DEP finalizes their recommendation. ~~This input~~~~
- 20 ~~must include a meeting of at least fifteen (15) minutes with the chair~~
- 21 ~~focused solely on discussing the candidate.~~
- 22 ~~e.~~ ~~Individuals that are in the terminal year of their employment~~
- 23 ~~contract (as a result of non-reappointment, resignation, or layoff) or~~
- 24 ~~those who received “Needs Improvement” or “Deficient” (or~~
- 25 ~~equivalent) in their most recent performance evaluation are not~~
- 26 ~~eligible to serve on the DEP.~~
- 27 ~~d.~~ ~~A faculty member who is a Candidate for Reappointment may serve~~
- 28 ~~on the DEP only with the approval of the Provost and DEP Chair.~~
- 29 (b) DEP Report Review and Recommendation.
- 30 (1) ~~The University shall provide the Packet (see as described in Section 6.56.6)~~
- 31 ~~to the DEP for review.~~

Commented [AML17]: The committee is already charged with the responsibility to request input from the chair. Putting a minimum time limit isn't necessary.

Commented [AML18]: In the context of this paragraph, this would be counter-intuitive. Nevertheless, the committee is charged with the responsibility to receive input from someone in the department already.

Commented [AML19]: Moved to FPU 6.7(2)(c)

For the University	For the UFF
Alex Landback	Myles Kim
Chief Negotiator	Chief Negotiator
Date _____	Date _____

- 1 ~~(2)~~ For cases that are a Full Review, the DEP will meet to select individuals
- 2 that will receive requests for reference letters for the candidate. This
- 3 meeting should be early in the process to allow time for the receipt of the
- 4 letters.
- 5 ~~1-(3)~~ The DEP may acquire supplemental materials and provide supplemental
- 6 materials and/or other information as appropriate.
- 7 ~~2-a.~~ If supplemental materials and/or other information is used as part of
- 8 the review, the Candidate will be informed of the use of this
- 9 information and provided a minimum of five (5) days, but no longer
- 10 than ten (10) days, to respond to the information.
- 11 ~~(2)~~ For Assistant Professor Reviews
- 12 a. If the faculty member was automatically reappointed (see 6.8 (a) (1)
- 13 b.), the DEP will prepare a report assessing the faculty member's
- 14 progression towards promotion. This report will be provided to the
- 15 faculty member.
- 16 b. Otherwise, the DEP will prepare and provide a report and
- 17 recommendation to the Provost directly.
- 18 ~~(3)~~ For Instructor Promotion, and Promotion Reviews, the DEP will prepare
- 19 and provide a report and recommendation to the Provost.
- 20 ~~(4)~~ The DEP's recommendation will be based on majority vote. The vote will
- 21 be taken anonymously.
- 22 ~~(4)~~ For Preliminary Reviews, the DEP will prepare and provide a report that is
- 23 added to the candidate's packet. The DEP recommendation is presented to
- 24 the Provost directly.
- 25 ~~(5)~~ For Full Reviews, the DEP will prepare and provide a report that is added
- 26 to the candidate's packet. The DEP recommendation is presented to the
- 27 UEC.
- 28 ~~(6)~~ The DEP must operate in executive session and in total confidentiality.
- 29 ~~(7)~~ All DEP reports, recommendations, and work product constitute faculty
- 30 evaluative information and/or limited-access records, pursuant to Florida
- 31 Polytechnic University Rule 6C13-6.008.

Commented [AML20]: This promotion appraisal is part of the performance evaluation process

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

1 (c) UEC Report and Recommendation.

2 (1) If conducted, the DEP will add its report to the Candidate’s packet which
3 includes the dossier, letters of recommendations, a table listing review
4 requests, the DEP report and recommendation, and any supplemental
5 materials and Candidate responses which were used as part of the decision
6 in the review.

7 (2) The UEC will use the candidate’s packet to consider the reappointment or
8 promotion request.

9 (3) The UEC may acquire supplemental materials and/or other information as
10 appropriate.

11 a. If supplemental materials and/or other information is used as part of
12 the review at any time during the process, the Candidate will be
13 informed of the use of this information and provided a minimum of
14 five (5) days, but no longer than ten (10) days, to respond to the
15 information.

16 (4) Reference letters are to be used as an input to the overall evaluation by the
17 committee.

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

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

22 (5) The UEC will prepare a report and recommendation that is addressed to the
23 Provost. The UEC report is added to the Candidate’s packet.

24 a. If the Provost chairs the UEC, the Provost will not make a
25 recommendation, but will supply a candidate’s Packet, and both the
26 UEC and DEP reports to the President for a final decision.

27 (6) All UEC reports, recommendations, and work product constitute faculty
28 evaluative information and/or limited-access records, pursuant to Florida
29 Polytechnic University Rule 6C13-6.008.

30 ~~(b)~~(d) Provost’s Review and Recommendation.

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

~~(1) For Assistant Professor when reappointment is not automatic, Instructor Promotion, and Promotion Reviews~~

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

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

b. ~~In rare instances, the Provost may acquire supplemental materials and/or other information as appropriate for completeness and accuracy of the Candidate's packet.~~

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

2. ~~If applicable, the supplemental materials and/or other information and the Candidate's response(s) will be appended to the Candidate's packet.~~

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

~~1-a.~~ The Provost's recommendation, if positive, is provided to the President consistent with Section 6.8(e).

2-b. If the Provost's recommendation is negative, the decision and written justification are provided to the Candidate. Unless overturned on appeal by the President, negative recommendations from the Provost are terminal.

~~3-c.~~ The process for appealing a negative recommendation from the Provost is as follows:

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

- 1 ~~(H)1.~~ Within ten (10) days of the Provost’s written justification
2 being provided the Candidate may submit a written appeal
3 to the Office of the President (president@floridapoly.edu).
4 ~~In this appeal, the Candidate may explain the grounds for~~
5 ~~their appeal and point out any errors or omissions in the~~
6 ~~DEP’s report and Provost’s written justification.~~
- 7 ~~(H)2.~~ Upon receipt of the Candidate’s appeal, the President will
8 review the Provost’s negative recommendation, ~~the UEC~~
9 ~~and DEP committee reports,~~ and the Candidate’s packet.
- 10 ~~(H)3.~~ The scope of the President’s appellate review is limited to
11 the correcting errors of judgment or process.
- 12 ~~(H)4.~~ Within twenty (20) days of receipt of the Candidate’s appeal,
13 the President will render a decision either granting or
14 denying the appeal on its merits.

Commented [AML21]: It is better not to define what may or may not be used in the appeal.

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

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

- (1) The granting of reappointment or promotion ~~sh~~ould be based on the University’s criteria, clarifications produced by the Candidate’s unit or department, the reports and recommendations of the DEP and UEC, any documents relied upon by the DEP and UEC in creating their reports and recommendations, the Candidate’s packet, and the written recommendation of the Provost, ~~and the Candidate’s written appeal.~~
- (2) The President will consider the items listed above, noting that the committee reports have provided a strong review of the candidate; and, in his or her best judgment, either:
 - a. grant reappointment or promotion, via written notice, within the terms of this contract, or;

Commented [AML22]: As the President’s authority also encompasses granting reappointment, there would be no appeal. Likewise, this would be inviting potential material that none of the prior reviewers had the opportunity to consider, which is problematic.

For the University	For the UFF
Alex Landback Chief Negotiator	Myles Kim Chief Negotiator
Date _____	Date _____

b. deny the request for reappointment or promotion.

~~1. If the President's final decision on reappointment and promotion is negative, the Candidate may request a written justification of the decision within ten (10) days.~~

~~2.(3) Upon such a request, the If the President's final decision on reappointment or promotion is negative, the President shall provide written justification to the Candidate; within twenty (20) days of the decision.; written justification to the Candidate.~~

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

Commented [AML23]: Here we have eliminated the step in which the faculty member has to request the written justification. If negative, it will be provided by default to expedite things.

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

~~(g)~~ The Candidate being considered for promotion may withdraw from consideration provided that the withdrawal is made before the UEC begins its consideration of the Candidate. Such withdrawal shall be without prejudice and will not render the Candidate ineligible for the next promotional cycle.

~~(h)~~ Promotion Date.

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

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

6.9 Reappointment and Promotion for Instructors and Senior Instructors.

(a) Reappointment & Promotion Materials:

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

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date

Date

- 1 a. Candidate personal statement
- 2 b. Updated, current curriculum vitae
- 3 c. Last two (2) faculty activity reports
- 4 d. Last two (2) reviews from department chair
- 5 (2) Promotion (Instructor to Senior Instructor) Materials:– Instructors must
- 6 submit the following materials to be considered for Promotion to Senior
- 7 Instructor:
- 8 a. Candidate personal statement
- 9 b. Updated, current curriculum vitae
- 10 c. Teaching portfolio
- 11 d. Last two (2) faculty activity reports
- 12 e. Last two (2) reviews from department chair
- 13 (3) Reappointment of Senior Instructors: Senior Instructors must submit the
- 14 following materials to be considered for reappointment:
- 15 a. Candidate personal statement to include update of activity since
- 16 promotion or last reappointment
- 17 b. Updated Curriculum Vitae
- 18 c. Last three (3) faculty activity reports
- 19 d. Last three (3) reviews from department chair
- 20 (b) Reappointment and Promotion: Types, Notices, and Criteria
- 21 (1) Types:
- 22 a. Faculty at the instructor level undergo reappointment reviews and
- 23 promotion review (if eligible and by choice of the candidate).
- 24 b. Instructors are not required to seek promotion, nor may they be
- 25 penalized for not seeking promotion.
- 26 c. Once promoted, Senior Instructors likewise undergo reappointment
- 27 reviews.

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

- 1 (2) Notice of Reappointment or Promotion eligibility or requirement will take
- 2 place consistent with the notification requirement for other faculty.
- 3 (3) Criteria for Instructor and Senior Instructor reappointment and promotion
- 4 will be developed through the process outlined below in Section 6.10.
- 5 (c) Review Panel and Committees for Instructor-Level Reappointments and
- 6 Promotion.
- 7 (1) Instructor-DEP: Shall consist of the department DEP plus one (1) Assistant
- 8 Professor chosen by the Department Chair and one (1) out-of-department
- 9 Senior Instructor, Instructor, or Assistant Professor chosen by the Provost.
- 10 (2) Instructor-UEC: Shall consist of the UEC plus one (1) Senior Instructor. If
- 11 there is no individual with the rank Senior Instructor, the Provost will
- 12 choose one (1) Associate Professor from outside the Instructor's
- 13 department.
- 14 (d) Reappointment and/or Promotion Process, the Instructor Review.
- 15 (1) The Instructor-DEP and Instructor-UEC follow the same process as they do
- 16 for other faculty, except there is no outside letter requirement for Instructor
- 17 promotion or Senior Instructor reappointment.
- 18 (2) For reappointment reviews of Instructors and Senior Instructors, the
- 19 Instructor-DEP provides its report directly to the Provost.
- 20 (3) Every third (3rd) reappointment review for Instructors and Senior Instructors
- 21 requires an evaluation by the UEC.
- 22 (4) Promotion reviews for Instructors require an evaluation by the Instructor-
- 23 UEC.
- 24 (5) Provost Review and Recommendation.
- 25 a. Both Instructor-DEP and Instructor-UEC reviews for Instructors
- 26 and Senior Instructors culminate in either a positive or negative
- 27 recommendation by the Provost as described in Section 6.8(d)(2).
- 28 b. These processes shall be consistent with that outlined for other
- 29 faculty in Section 6.8(d)6.8(d).
- 30 (6) President's Review and Authority. Actions on reappointments and

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

promotions by the President and Provost will be acted upon in the same manner as described in Section 6.8(e).

6.10 Development of Reappointment and Promotion Criteria for Instructors, Assistant Professors, ~~and Associate Professors~~, and Professors.

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

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

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

(2) The University criteria shall broadly recognize and consist of the following:

- a.** Instruction, including regular classroom and laboratory teaching, classroom development, effective development/application of new instructional methods, directing thesis or dissertation committees, and other instructional activities;
- b.** Research or other creative activities relevant to the department mission, including scholarly publications, support and advising of graduate students; and
- c.** Service to professional societies and contributions to the University and department.

(3) The criteria shall also include, but are not limited to:

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

- 1 a. a demonstrated record of scholarly activity, teaching, and as
- 2 appropriate, course and/or curriculum development commensurate
- 3 with the University’s mission and relevant academic discipline(s);
- 4 b. evidence of a positive and growing reputation in his/her chosen sub-
- 5 field within the department’s mission, and;
- 6 c. promise of continued successful performance.
- 7 (4) The Provost will formally request input from the FRC as to the University
- 8 criteria before providing the finalized University criteria to each
- 9 department’s Division Director, or Chair if no Division Director is present.

10 ~~(b)(c)~~ Department Clarifications of University Criteria. The department clarifications, ~~as~~
 11 described in ~~6-6(e);this section~~ shall provide context for the broader University
 12 criteria and:

- 13 (1) be consistent with university requirements and faculty work assignments;
- 14 ~~(2) — be tailored to and specific about expectations in the field(s) represented~~
 15 ~~within the department;~~
- 16 ~~(3)~~(2) be detailed enough that a reasonable professor should be informed about the
 17 expectations for performance or accomplishments which are necessary to
 18 earn reappointment or promotion, assuming that the accomplishments are
 19 of sufficient quality, quantity, and consistency, and;
- 20 ~~(4)~~(3) identify some representative examples of the achievements or performance
 21 characteristics which, if the requirement or distinction were met, are
 22 appropriate comparisons for reappointment or promotion.

23 ~~(e)(d)~~ Criteria and Department-Specific Clarification Review Process. Criteria and
 24 department-specific clarifications shall be developed and approved on a bi-annual
 25 cycle according to the following procedures:

- 26 (1) Department Committee Formation and Membership.
- 27 a. The Committee shall consist of:
- 28 1. the Vice Provost of Academic Affairs (or ~~Provost~~-designee);
- 29 2. Department Chair (or if Division/Department Director is
 30 present, Division director, or designee) of each respective

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

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.

(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.

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

- 1 **b.** Upon receiving the University criteria and clarification framework,
- 2 the Department Committee shall convene to develop clarifications
- 3 of the University criteria consistent with the department disciplines
- 4 in accordance with the procedures outlined herein.
- 5 **c.** The Department Committee shall complete its review and finalize
- 6 the department clarifications within fifteen (15) days of receiving
- 7 the University’s criteria.
- 8 **(3)** Department Faculty Vote. Within ten (10) days of the Committee finalizing
- 9 the department clarifications, the department faculty shall conduct a
- 10 confidential and anonymous vote on said clarifications.
- 11 **a.** Faculty that are in their terminal year of employment (as a result of
- 12 non-reappointment, resignation, or layoff), ~~and~~-visiting/adjunct
- 13 faculty, and instructors are not eligible to vote on the clarifications.
- 14 **b.** If a majority of a department’s faculty professors vote in favor of the
- 15 proposed department clarifications, the department clarifications are
- 16 forwarded to the Provost for review and approval.
- 17 **c.** If the majority of a department’s professors do not vote in favor of
- 18 the proposed department clarifications, the Department Committee,
- 19 shall reconsider the proposed clarifications prior to conducting a
- 20 second vote.
- 21 **1.** The Department Committee shall have five (5) days to
- 22 reconsider the proposed clarifications and conduct a second
- 23 vote within five (5) days of finalizing the second round of
- 24 department clarifications.
- 25 **2.** If the second vote is also unsuccessful, the proposed
- 26 clarifications shall be forwarded to the Provost for approval,
- 27 noting the lack of department faculty support.
- 28 **3.** If a vote does not occur within five (5) days of the
- 29 Committee finalizing the department clarifications, the
- 30 department clarifications shall be forwarded to the Provost
- 31 for review, noting that no vote occurred.

(4) Provost Review. Within ten (10) days of receipt, the Provost shall review

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

1 the proposed department clarifications to ensure compliance with this
2 Agreement, the mission and goals of the University, and University
3 standards as established in the most recent, BOT-approved version of the
4 Faculty Handbook.

5 a. The Provost will either approve the proposed department
6 clarifications, or return them to the Committee for reconsideration.

7 b. In the event the Provost returns the proposed department
8 clarifications to the Committee for reconsideration, he/she shall
9 provide objections to any such provision in writing.

10 (5) Committee Reconsideration. The Department Committee shall reconsider
11 the Provost’s written objections and within ten (10) days after receiving
12 them, shall resubmit the proposed written clarifications to the Provost,
13 incorporating all, some, or none of the objections, along with a written
14 explanation and justification for the resubmitted language.

15 (6) Provost Reconsideration. The Provost shall reconsider the department
16 clarifications and issue final revisions or approvals within seven (7) days
17 after receiving the revised department clarifications.

18 ~~(d)~~(e) Changes in Criteria for Reappointment and Promotion for Professors.

19 (1) Following the Provost’s approval of the criteria, the University may modify
20 the approved University criteria for reappointment and promotion so long
21 as the UFF has been notified of the proposed changes and been offered an
22 opportunity to discuss such changes in consultation with the President or
23 designee.

24 (2) Changes to discipline-specific departmental clarifications of the University
25 criteria shall be developed and approved according to the process outlined
26 above.

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

30 ~~(3)~~ The Reappointment and Promotion criteria shall be available in the department and
31 in the Provost’s office or upon from the Department Chair or Division Director.

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

~~(4) All such criteria shall also be provided to UFF upon written request.~~

6.76.11 Non-Reappointment of Faculty

Commented [AML24]: Moved from Originally UFF 6.3

(a) ~~Employees~~ Faculty members 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.

(b) Reappointment or Promotion Review. If ~~an employee~~ a faculty member has participated in a reappointment or promotion review ~~for promotion to Associate Professor~~ and is not provided with an offer of reappointment or promotion ~~to Associate Professor,~~

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

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

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

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

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

(f) Payout option.

(1) 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

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

all or a portion of the remaining term of the contract, as may be allowed under Florida law.

(2) 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.

6.76.12 Promotion Procedure for Assistant Librarians and Wellness Counselors.

~~(a) — An Assistant Librarian or Wellness Counselor may apply for promotion at any time.~~

~~(b) — To apply for promotion, an Assistant Librarian or Wellness Counselor should send their supervisor a letter that contains 1) a statement of their intention to seek promotion; 2) a statement of their qualifications for promotion; and 3) a summary of their achievements while working at Florida Poly and a current copy of their resume. They may also submit up to four (4) letters of support.~~

~~(c) — Decisions on promotions are made by the candidate's supervisor. In making their decision, the supervisor should consider the following:~~

~~(1) — The candidate's letter of intent~~

~~(2) — The candidate's resume~~

~~(3) — Letters of support (if any)~~

~~a. — Performance reviews from at least the last three (3) years; and~~

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

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

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

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

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

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

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

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

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

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

4 1. The University will review the Assistant Librarian II and
5 Wellness Counselor II during the second full spring term
6 after initial promotion and thereafter in the spring of the third
7 year of the reappointment contract.

8 (b) Reappointment Review Requirements & Process

9 (1) Candidate Required Materials: Candidates for reappointment must provide
10 the following materials in their reappointment "packet."

11 a. The Employee Self-Review Worksheet provided by Human
12 Resources;

13 b. The candidate's previous performance reviews;

14 c. An updated curriculum vitae;

15 d. ~~Supporting materials.~~ If supporting other materials are used as part
16 of the review, the candidate will be informed of this information,
17 and provided a minimum of five (5) days to respond to the
18 information.

19 (2) Reappointment Process.

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

22 b. Considerations for reappointment include:

23 1. A review of goals, objectives, and accomplishments
24 achieved over the total review period.

25 2. Specific goals, tasks, or assignments derived from annual or
26 periodic evaluations.

27 3. Candidate's likelihood for continued success.

28 4. Any additional criteria established via the process for

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

University Criteria for Reappointment and Promotion established for faculty positions.

c. Decisions must be considered by the supervisor, the Provost, and the Vice Provost of Student Affairs.

d. Upon request, the Provost will provide a written justification for the reappointment decision.

(c) Promotion Procedure for Assistant Librarians & Wellness Counselors:

(1) Employees designated as Assistant Librarian I and Wellness Counselor I are not obligated to seek promotion, nor will they be penalized for not doing so.

(2) Available Ranks for Promotion

a. Assistant Librarian I to Assistant Librarian II

b. Wellness Counselor I to Wellness Counselor II

(3) Eligibility for Promotion.

a. Minimum Duration of Employment: Employees must have served at least 5 successful academic years at their current rank in a full-time capacity, with an overall evaluation rating of "Meets Expectation" for each of those years, in order to qualify for consideration of the next highest rank.

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

(4) Promotion Review Requirements & Process.

a. Candidate Required Materials: Candidates for reappointment must provide the following materials in their reappointment "packet."

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

2. The candidate's previous performance reviews (including

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

- 1 self-evaluations) and other evaluations since initial hire at
- 2 the University.
- 3 3. An updated curriculum vitae.
- 4 4. If other materials are used as part of the review, the candidate
- 5 will be informed of this information, and provided a
- 6 minimum of five (5) days to respond to the information.
- 7 ~~(4) If the candidate's supervisor denies the application for promotion, they will~~
- 8 ~~provide their reasons in writing.~~
- 9 (5) Promotion Process.
- 10 a. Dates for Promotion notification and submission of materials to
- 11 Supervisor will coincide with those for Faculty.
- 12 b. Considerations for Promotion include:
- 13 1. A review of goals, objectives, and accomplishments
- 14 achieved over the total review period.
- 15 2. Specific goals, tasks, or assignments derived from annual or
- 16 periodic evaluations.
- 17 3. Candidate's likelihood for continued success and
- 18 appropriate contribution on institutional initiatives.
- 19 4. Any additional criteria established via the process for
- 20 University Criteria for Reappointment and Promotion
- 21 established for faculty positions.
- 22 c. Promotion Decisions
- 23 1. May include inputs from relevant campus stakeholders, such
- 24 as students, faculty, and other staff.
- 25 2. Must be considered by the supervisor, the Provost, and the
- 26 Vice Provost of Student Affairs.
- 27 3. Upon request, the Provost will provide a written justification
- 28 for the promotion decision.

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

1 ~~(d) Appeal of a negative decision~~

2 ~~(1) Within ten (10) days of the supervisor's written justification being provided,~~
3 ~~the Candidate may submit a written appeal to their supervisor's supervisor.~~
4 ~~In this appeal, the Candidate may explain the grounds for their appeal and~~
5 ~~point out any errors or omissions in their supervisor's written justification.~~

6 ~~(2) Upon receipt of the Candidate's appeal, the supervisor's supervisor will~~
7 ~~review the candidate's application and the supervisor's written justification.~~

8 ~~(3) Within twenty (20) days of receipt of the Candidate's appeal, the~~
9 ~~supervisor's supervisor will render a decision either granting or denying the~~
10 ~~appeal on its merits.~~

11 ~~(d) Non-Reappointment.~~

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

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

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

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

24 ~~(5) Payout option.~~

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

29 ~~b. If the University elects this option, it will pay the employee an~~
30 ~~amount, less withholding, equal to the salary for that portion of the~~

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____

remaining term of the contract which the University is paying out, and the employee’s employment will terminate immediately.

6.66.13 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 “Packet”, the DEP’s report, the UEC’s report, and the Provost’s and President’s written justifications will be considered as the only grounds~~ scope of materials relied upon for 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.
- (d) The remedy for any grievance filed under this provision, if successful, shall not include an award of reappointment or promotion.
- (e) Such grievances must be filed within thirty (30) days of the Candidate’s receipt of the denial of promotion or reappointment ~~decision~~ from the President as described in 6.8(e)(3) or the President’s denial of an appeal as described in Section 6.8(d)(2)c.4.
- (f) Reports and recommendations from the DEP, UEC, and Provost shall be available for arbitration proceedings consistent with the requirements described in Florida Polytechnic University Rule 6C13-6.008.

For the University

For the UFF

Alex Landback
Chief Negotiator

Myles Kim
Chief Negotiator

Date _____

Date _____