

ARTICLE 6 – APPOINTMENT & PROMOTION

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24 **7.1 General Principles.**

25 **(a)** The University and UFF recognize that Florida Polytechnic University is a new

26 institution, and as such, both parties accept that flexibility is required as we develop

27 an excellent faculty through the process of appointment and promotion. The

28 University and UFF share the desire to improve the quality of the University in all

29 areas, but particularly in the execution of teaching, research, and service by the

30 faculty. This article balances a recognition of the University’s unique history,

31 newness, and current situation with a shared desire for continuous improvement.

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

33 service, and where applicable, research. Faculty included in this contract are

34 designated by ranks of Instructor, Senior Instructor, Distinguished Instructor,

35 Professor of Practice, Assistant Professor, Associate Professor, and Professor.

36 **(c)** The University and UFF further recognize that reappointment and promotions are

37 an important method by which the University recognizes excellence and rewards

38 its employees’ contributions to advancing the mission of the University.

- 39 (d) Reappointment and promotion decisions are not determined by any sole factor and
40 are based upon a careful and rigorous assessment that relies upon faculty and
41 administrative review of:
- 42 (1) a faculty member's demonstrated teaching, scholarship, research service
43 contributions, and other work duties, as relevant, at the University;
- 44 (2) the assessment of the faculty member's continued positive contribution to
45 their department and the University, and;
- 46 (3) the faculty member's potential for continued appropriate contributions and
47 growth.
- 48 (e) Elements critical to the promotion process include, but may not be limited to:
- 49 (1) a faculty member's annual performance evaluations;
- 50 (2) a significant and careful review of credentials by a set of faculty that hold
51 at least the rank sought by the Candidate;
- 52 (3) an external set of recommendations appropriate for that faculty member
53 (excluding instructors and academic professionals) by subject matter
54 experts in the Candidate's field, and;
- 55 (4) administrative review.
- 56 (f) Evidence used in a reappointment or promotion decision that is not produced by
57 the candidate for reappointment or promotion must directly relate to that faculty
58 member's effort.
- 59 (f)(g) Every Candidate for reappointment and/or promotion will be fairly evaluated, and
60 the evaluation process will be maintained to the highest degree of integrity.
- 61 (g)(h) Non-reappointments shall not be made in an arbitrary or capricious manner.
- 62 **7.2 Employment Contract.**
- 63 (a) All appointments will be made on the University employment contract and signed
64 by the President or designee, and the employee.
- 65 (b) No appointment or assignment will create any right, interest, or expectancy in any
66 other appointment or assignment beyond its specific terms, except as provided in
67 this Agreement.
- 68 (1) No special commitment or conditions offered to new hires shall bind the
69 University indefinitely.
- 70 (2) A special commitment or condition will be observed unless it is no longer
71 financially or logistically feasible or circumstances have changed enough
72 that it is no longer in the legitimate interests of the University.
- 73 (3) If the university decides not to observe a special commitment or condition,
74 the university will inform the employee in a timely manner. Upon the
75 employee's request, the university will provide a written justification of its

- 76 decision not to observe the special commitment or condition.
- 77 (c) Appointments expire on the date set forth in the faculty member's employment
78 contract. No further notice of cessation of employment is required, unless otherwise
79 provided in this Agreement.
- 80 (d) If the University intends to offer a faculty member reappointment, the University
81 will inform the faculty member by June 30 following the academic year in which
82 the reappointment review was conducted.
- 83 (e) Resignation.
- 84 (1) An employee who wishes to resign has the professional obligation, when
85 possible, to provide the University with sufficient notice to avoid
86 scheduling and classroom disruptions or, where the employee does not have
87 an instructional assignment, a minimum of four (4) weeks' notice.
- 88 (2) Upon resignation, all consideration for reappointment and promotion will
89 cease.

90 **7.3 Faculty Appointment and Reappointment Contract Duration.**

- 91 (a) Contract duration for faculty appointments and reappointments are as follows:
- 92 (1) Instructor
- 93 a. Initial Contract duration: two (2) years
- 94 b. Reappointment Contract duration: two (2) years.
- 95 c. Promotion Contract duration: Faculty promoted from Instructor to
96 Senior Instructor shall receive an initial appointment contract
97 duration of (3) years.
- 98 (2) Senior Instructor
- 99 a. Initial contract duration: three (3) years.
- 100 b. Reappointment contract duration: three (3) years.
- 101 (3) Distinguished Instructor
- 102 a. Initial contract duration: five (5) years.
- 103 b. Reappointment contract duration: five (5) years.
- 104 (4) Professor of Practice
- 105 a. Initial contract duration: three (3) years.
- 106 b. Reappointment contract duration: three (3) years.
- 107 (5) Assistant Professor
- 108 a. Initial Contract Duration: three (3) years.
- 109 b. Reappointment Contract Duration: three (3) years.

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

113 (6) Associate Professor

114 a. Initial Contract Duration: three (3) years, unless the University
 115 determines that an initial term of four (4) or five (5) years is
 116 appropriate or warranted. The reason for a longer initial term shall
 117 be provided to the UFF upon request.

118 b. Reappointment Contract Duration:

119 1. Three (3) years based upon a Preliminary Review (see
 120 Section ~~7.7(a)(1)~~6.7(a)(1)).

121 2. Six (6) years based upon a Full Review (see Section
 122 ~~7.7(a)(2)~~6.7(a)(2)).

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

126 (7) Professor

127 a. Initial Contract Duration: six (6) years, unless the University
 128 determines that it is in its best interest to offer an initial contract with
 129 a three (3) to five (5) year duration.

130 b. Reappointment Contract Duration: six (6) years when based upon a
 131 Full Review (see Section ~~7.7(a)(2)~~6.7(a)(2)).

132 **7.4 Reappointment and Promotion Review Eligibility and Requirements.**

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

135 (1) Instructor

136 a. Reappointment Cycle: two (2) years. Instructors receive an
 137 Instructor's Review during the spring semester of the final year of
 138 their initial appointment and a biennial instructor's review
 139 (occurring every two years) thereafter.

140 b. Individuals whose employment did not start at the beginning of the
 141 fall semester will have their Instructor's Review delayed to the first
 142 spring semester following the completion of a minimum of four (4)
 143 full, contiguous fall and spring semesters following their initial
 144 appointment.

145 (2) Senior Instructor

146 a. Reappointment Cycle: three (3) years after Promotion or initial
 147 contract, Senior Instructors receive an Instructor's Review during

- 148 the spring semester of the final year of their contract as described in
149 section 6.9.
- 150 (3) Distinguished Instructor
- 151 a. Reappointment Cycle: five (5) years after Promotion or initial
152 contract – Distinguished Instructor’s receive an Instructor’s Review
153 during the spring semester of the final year of their contract as
154 described in section 6.9.
- 155 (4) Professor of Practice
- 156 a. Reappointment Cycle: three (3) years after Promotion or initial
157 contract – Professors of Practice receive an Instructor’s Review
158 during the spring semester of the final year of their contract as
159 described in section 6.9.
- 160 (5) Assistant Professor
- 161 a. Preliminary Review (see ~~7.7(a)(1)6.7(a)(1)~~).
- 162 1. Preliminary Review for reappointment begins at the start of
163 the first spring semester following the completion of a
164 minimum of five (5) full, contiguous semesters at the current
165 appointed rank.
- 166 2. Individuals whose employment did not start at the beginning
167 of the fall semester will have their Preliminary Review
168 delayed to the first spring semester following the completion
169 of a minimum of five (5) full, contiguous semesters
170 following their initial appointment.
- 171 3. May only be reappointed once and must apply, consistent
172 with the start of the process in the fall semester, for
173 promotion no later than at the completion of six (6) academic
174 years (fall to spring).
- 175 4. .
- 176 b. Promotion
- 177 1. Assistant Professors must be promoted to Associate
178 Professor by the end of their second (2nd) reappointment
179 term, noting Section ~~7.4(a)(5)a.36.4(a)(3)a.3~~ above, in order
180 to receive a contract with a duration greater than a single
181 terminal year.
- 182 2. The University may, at its sole discretion, permit a faculty
183 member to delay promotion review by granting a maximum
184 one (1) year extension at this rank due to a valid request for
185 FMLA or other appropriate leave.

- 186 3. Other extensions must be formally agreed upon in writing by
 187 both the FPU-BOT and UFF-FPU.
- 188 4. In order to be considered for promotion, a faculty member
 189 must have a Full Review as described in Section
 190 7.7(a)(2)~~6.7(a)(2)~~.

191 (6) Associate Professor

192 a. Preliminary Review (see Section 7.7(a)(1)~~6.7(a)(1)~~).

- 193 1. Preliminary review for reappointment is only available to
 194 Associate Professors as their first review after their initial
 195 appointment if their initial appointment is less than six (6)
 196 years.
- 197 2. Preliminary Review for reappointment begins at the start of
 198 the spring semester of the final year of their contract.

199 b. Full Review (see Section 7.7(a)(2)~~6.7(a)(2)~~).

- 200 1. Except as described in Section 7.4(a)(6)a.1~~6.4(a)(4)a.1~~, Full
 201 Reviews are required for reappointment of Associate
 202 Professors and must be completed before the expiration date
 203 of a Candidate's existing contract.
- 204 (I) If an Associate Professor is reappointed based on a
 205 preliminary review, all subsequent reappointment
 206 reviews are based upon a Full Review.
- 207 2. The Full Review may be used, at the Candidate's election,
 208 to also request promotion to the rank of Professor.
- 209 3. Full Reviews are required for reappointment of Associate
 210 Professors and must be completed before the expiration date
 211 of a Candidate's existing contract.

212 (7) Professor

- 213 a. Reappointment is based upon a Full Review (see Section
 214 7.7(a)(2)~~6.7(a)(2)~~).

215 **7.5 Promotion Categories and Eligibility Criteria for Faculty.**

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

219 (b) Professional Ranks:

- 220 (1) Instructor to Senior Instructor.
- 221 (2) Senior Instructor to Distinguished Instructor.

- 222 **a.** Distinguished Instructors are at their highest rank possible and
223 cannot be promoted.
- 224 **(3)** Professor of Practice.
- 225 **a.** Professors of Practice are at their highest rank possible and cannot
226 be promoted.
- 227 **(4)** Assistant to Associate Professor.
- 228 **(5)** Associate Professor to Professor.
- 229 **(c)** Notice of Intent. Faculty that seek promotion must declare their intent to seek
230 promotion in writing to the Provost and their Department Chair, no later than the
231 start of the fall semester in the academic year in which they will seek promotion.
- 232 **(d)** Minimum Qualifications.
- 233 **(1)** Faculty (including Instructors) must serve at least five (5) academic years
234 at their current (or higher) rank in order to qualify for promotional
235 consideration to a higher rank.
- 236 **(2)** At least two (2) of the five (5) immediately preceding academic years must
237 be served at the University.
- 238 **(3)** The University, at its discretion, may provide exceptions to these minimum
239 qualifications upon request of a faculty member and approval of their Chair,
240 and the Provost or designee.
- 241 **7.6** **Reappointment and/or Promotion Materials for Assistant Professors, Associate**
242 **Professors, and Professors.** (Note: Instructors see Section [7.96.9](#))
- 243 **(a)** The candidate submits a “dossier” in support of their reappointment or promotion.
- 244 **(b)** The promotion “packet” is the body of material that includes the dossier, letters of
245 reference if required, any supplemental information considered by the committees
246 or Provost and the candidate’s response to that supplemental information, and
247 committee recommendations as specified by the process.
- 248 **(c)** Candidate Prepared Dossier. A Candidate for reappointment or promotion must
249 prepare a dossier for consideration, which must include: a personal statement from
250 the Candidate and elements that show the Candidate’s demonstrated abilities and
251 competencies in teaching, service, and research—including: performance reviews
252 received since their last reappointment if applicable (if not, all performance reviews
253 received).
- 254 **(d)** Faculty Dossier contents:
- 255 **(1)** The faculty dossier is prepared by the faculty member and, within the
256 boundaries of the specified format, must show the candidate’s competencies
257 in teaching, service, and research.
- 258 **(2)** Intentional or significant misrepresentations contained in the Candidate’s
259 dossier shall serve as just cause for termination pursuant to Article 9 –

- 260 Discipline.
- 261 (e) Faculty Dossier format.
- 262 (1) The Provost shall develop the format and guidelines for the Candidate
263 Prepared Dossier and send them to the Faculty Representative Council
264 (“FRC”) for review and comment by February 15 of the spring semester in
265 even numbered calendar years.
- 266 a. The FRC shall review, within fourteen (14) days of receipt, the
267 format and guidelines and shall recommend approval or changes to
268 the Provost.
- 269 b. Should the FRC recommend changes, the Provost shall, within ten
270 (10) days, either accept the changes or give a written justification
271 for not accepting the changes.
- 272 (2) The Candidate Prepared Dossier must follow the final format as finalized
273 by the Provost and faculty are solely responsible for the content within, and
274 production of, the dossier. Review committees may choose to not consider
275 a dossier which does not substantially follow the required format (e.g., a
276 dossier that does not include and clearly identify the relevant sections
277 specified in the dossier format.
- 278 (f) Reference Letters.
- 279 (1) Reference letters are required for Promotion Reviews and Full Reviews.
- 280 (2) Reference letters are added to the faculty dossier by the provost’s office and
281 become a part of the reappointment or promotion packet.
- 282 (3) Letters are not required for promotion to Senior Instructor.
- 283 (4) Reference letters are confidential and will be requested using a template that
284 instructs the external reviewer regarding the materials supplied, and any
285 special considerations, including the University’s history, teaching
286 expectations, and research infrastructure. This template will be developed
287 according to and as part of the process laid out in Section ~~7.6(f)(6)~~6.6(f)(6).
- 288 (5) Requesting Reference Letters.
- 289 a. A minimum of four (4) reference letters must be requested.
- 290 b. The Candidate “nominates” up to four (4) individuals to provide
291 reference letters.
- 292 c. The Department Evaluation Panel formally requests all external
293 reference letters, which shall include at a minimum two (2)
294 individuals nominated by the Candidate, and a minimum of two (2)
295 letters from individuals not nominated by the Candidate.
- 296 (6) Request for Reference Letter template.

- 335 **a.** The Provost (or designee) will draft a letter that specifies what
- 336 materials will be provided to the external referee and provide the
- 337 letter to the University Evaluation Committee.

- 338 **b.** The University Evaluation Committee will review the draft, make
- 339 appropriate revisions, and provide the final draft of the letter to the
- 340 Department Evaluation Panel for distribution.

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

- 343 **a.** A list of the names of all individuals asked to provide a review and
- 344 whether any declined to provide this review, and reason given, if
- 345 any, will also be included in the Packet.

346 **7.7 Reappointment and/or Promotion Process: Types, Notices, and Committee**

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

- 348 (a) Types of Review Processes.

- 349 (1) Preliminary Review.

- 350 **a.** A review that does not include external letters and is only conducted
- 351 by the Department Evaluation Panel (as described below in Section
- 352 7.7(c)6.7(e)).

- 353 **b.** Results of this review are provided directly to the Provost for
- 354 consideration.

- 355 (2) Full Review.

- 356 **a.** A review that includes external letters and is conducted by the
- 357 Department Evaluation Panel, then the University Evaluation
- 358 Committee (as described below in Section 7.7(d)6.7(d)).

- 359 **b.** Results of the reviews are then provided to the Provost for
- 360 consideration, except in Sections 7.7(d)(2)d6.7(d)(2)d &
- 361 7.8(c)(5)a6.8(e)(5)a, in which the results of the reviews are directly
- 362 provided to the President for consideration.

363 (b) Notice of Review Requirement

- 364 (1) Individuals that require a Preliminary Review (as specified in Section
- 365 7.7(a)(1)6.7(a)(1)), due to their appointment expiring in the coming year,
- 366 will be notified of the requirement for review no later than December 10,
- 367 prior to the spring semester in which their review must be completed.

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

- 371 **a.** must apply for promotion from Assistant to Associate Professor to
- 372 maintain their appointment, or;

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- 373 **b.** must participate in a Full Review to renew their appointment.
- 374 **(3)** The format and guidelines for the Candidate Prepared Dossier, the
375 Promotion or Reappointment Criteria, and deadlines will be provided to the
376 candidate within two weeks of their formal notification that must participate
377 in a Full Review.
- 378 **(4)** Within fifteen (15) days of receiving the Notice referenced in 6.7 (b) (3),
379 eligible professors will inform the University of their election to apply for
380 promotion or proceed with reappointment.
- 381 **(5)** Candidates for reappointment or promotion shall provide the University
382 with their dossier by the deadline set forth in the Notice referenced in 6.7
383 (b) (3). Such deadline shall not be earlier than September 10.
- 384 **(c)** Department Evaluation Panel (“DEP”) Membership
- 385 **(1)** DEP Chair.
- 386 **a.** The Department Chair serves as the chair of the DEP if the
387 Department Chair holds the appropriate faculty appointment rank.
- 388 **b.** If the Department Chair does not hold the appropriate rank, the
389 Provost will appoint a chair for the DEP.
- 390 **(2)** DEP Membership.
- 391 **a.** For reviews of Assistant and Associate Professors, the DEP shall
392 consist of faculty of a higher rank than the Candidate within the
393 Candidate’s department. When there is an insufficient number of
394 faculty to meet the minimum requirements for a DEP, the process
395 below will be used to form a DEP.
- 396 **b.** There must be a minimum of five (5) qualified (appropriately
397 ranked) individuals serving on the DEP.
- 398 **1.** If the number of individuals available to serve on the DEP is
399 less than five (5), the Provost and DEP Chair will each select
400 a faculty member or, if necessary, two (2) faculty members
401 of appropriate rank from another unit at the University to
402 serve on the DEP.
- 403 **c.** Individuals that are in the terminal year of their employment
404 contract (as a result of non-reappointment, resignation, or layoff) or
405 those who received “Needs Improvement” or “Deficient” (or
406 “Unsatisfactory”) in their most recent performance evaluation are
407 not eligible to serve on the DEP, regardless of any pending
408 grievance to challenge such evaluation (See Section 11.11(a)).
- 409 **d.** A faculty member who is a Candidate for Reappointment may serve
410 on the DEP only with the approval of the Provost and DEP Chair.

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

412 (1) UEC Membership.

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

418 1. Individuals that are in their terminal year of employment (as
419 a result of non-reappointment, resignation, or layoff), or
420 those who received “Needs Improvement”, “Unsatisfactory”
421 or “Deficient” in their most recent performance evaluation,
422 are not eligible to serve on the UEC, regardless of any
423 pending grievance to challenge such evaluation (See Section
424 11.11(a)).

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

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

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

433 (2) Number of UEC Members.

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

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

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

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

446 e. The UEC must operate in executive session and in total
447 confidentiality.

448 7.8 Reappointment and Promotion Procedure for Assistant Professors, Associate
449 Professors, and Professors.

- 450 **(a)** General Rules.
- 451 **(1)**
- 452 Previously Promoted. The promotion assessment shall be based primarily
- 453 on the Candidate’s performance since the Candidate’s last promotion and
- 454 must include the candidate’s achievements since they were promoted.
- 455 However, in assessing promotion to Professor, consideration of prior to
- 456 promotion activity shall also be included in the evaluation.
- 457
- 458 **(2)** Not Previously Promoted.
- 459 **a.** If the University has not previously promoted the Candidate, the
- 460 promotion assessment is cumulative and must include consideration
- 461 of the Candidate’s achievements prior to employment at the
- 462 University.
- 463 **b.** However, the Candidate’s promotion assessment must also establish
- 464 that the Candidate has continued to progress and achieve in the
- 465 categories and criteria used for reappointment and/or promotion
- 466 while employed at the University.
- 467 **(3)** Reference Letters for Promotion and Full Reviews.
- 468 **a.** A single negative reference may not be the sole basis for not
- 469 reappointing a candidate or for not promoting a Candidate.
- 470 **b.** Promotion and reappointment decisions shall not be based solely on
- 471 the reference letters received.
- 472 **(4)** Department Inputs.
- 473 **a.** If the DEP includes no members from the candidate’s department,
- 474 the DEP will request input from the department chair before
- 475 finalizing its recommendation.
- 476 **b.** If the Department chair is the candidate and no member from the
- 477 chair’s department is a member of the DEP, the Provost or designee
- 478 shall select a member of the chair’s department to provide input to
- 479 the DEP before the DEP finalizes their recommendation.
- 480 **(b)** DEP Review and Recommendation.
- 481 **(1)** The University shall provide the Packet (as described in Section 7.66-6) to
- 482 the DEP for review.
- 483 **(2)** For Full Reviews, the DEP will meet to select individuals that will receive
- 484 requests for reference letters for the candidate. This meeting should be early
- 485 in the process to allow time for the receipt of the letters.
- 486 **(3)** The DEP may acquire and review supplemental materials and/or other
- 487 information as appropriate.

- 488 **a.** If supplemental materials and/or other information is used as part of
489 the review, the Candidate will be informed of the use of this
490 information and provided a minimum of seven (7) days to respond
491 to the information.
- 492 **(4)** For Preliminary Reviews, the DEP will prepare and provide a report that is
493 added to the candidate’s packet. The DEP recommendation is presented to
494 the Provost directly. Within this report, the DEP may choose to highlight
495 areas of concern and comment on the candidate’s progression towards on-
496 time promotion.
- 497 **(5)** For Full Reviews, the DEP will prepare and provide a report that is added
498 to the candidate’s packet. The DEP recommendation is presented to the
499 UEC.
- 500 **(6)** The DEP must operate in executive session and in total confidentiality.
- 501 **(7)** All DEP reports, recommendations, and work product constitute faculty
502 evaluative information and/or limited-access records, pursuant to Florida
503 Polytechnic University Rule 6C13-6.008.
- 504 **(c)** UEC Report and Recommendation.
- 505 **(1)** If conducted, the DEP will add its report to the Candidate’s packet which
506 includes the dossier, letters of recommendations, a table listing review
507 requests, the DEP report and recommendation, and any supplemental
508 materials and Candidate responses which were used as part of the decision
509 in the review.
- 510 **(2)** The UEC will use the candidate’s packet to consider the reappointment or
511 promotion request.
- 512 **(3)** The UEC may acquire and review supplemental materials and/or other
513 information as appropriate.
- 514 **a.** If supplemental materials and/or other information is used as part of
515 the review at any time during the process, the Candidate will be
516 informed of the use of this information and provided a minimum of
517 seven (7) days to respond to the information.
- 518 **(4)** Reference letters are to be used as an input to the overall evaluation by the
519 committee.
- 520 **a.** A single negative reference may not be the sole basis for not
521 reappointing a candidate or for not promoting a Candidate.
- 522 **b.** Promotion and reappointment decisions shall not be based solely on
523 the reference letters received.
- 524 **(5)** The UEC will prepare a report and recommendation that is addressed to the
525 Provost. The UEC report is added to the Candidate’s packet.

526 **a.** If the Provost chairs the UEC, the Provost will not make a
527 recommendation, but will supply a candidate’s Packet, and both the
528 UEC and DEP reports to the President for a final decision.

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

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

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

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

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

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

547 **2.** If applicable, the supplemental materials and/or other
548 information and the Candidate’s response(s) will be
549 appended to the Candidate’s packet.

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

554 **a.** The Provost’s recommendation, if positive, is provided to the
555 President consistent with Section ~~7.8(e)~~6.8(e).

556 **b.** If the Provost’s recommendation is negative, the decision and
557 written justification are provided to the Candidate. Unless
558 overturned on appeal by the President, negative recommendations
559 from the Provost are terminal.

560 **c.** The process for appealing a negative recommendation from the
561 Provost is as follows:

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

- 565 (I) Failure to appeal a negative recommendation within
 566 the ten (10) day time frame renders the
 567 recommendation final and subject to no further
 568 review or grievance.
- 569 2. Upon receipt of the Candidate’s appeal, the President will
 570 review the Provost’s negative recommendation, the UEC
 571 and DEP committee reports, and the Candidate’s packet.
- 572 3. The scope of the President’s appellate review is limited to
 573 correcting errors of judgment or process.
- 574 4. Within twenty (20) days of receipt of the Candidate’s appeal,
 575 the President will render a decision either granting or
 576 denying the appeal on its merits.
- 577 (3) The Provost’s recommendation, Provost’s written justification, and the
 578 President’s decision as a result of the appeal process constitute faculty
 579 evaluative information and/or limited-access records, pursuant to Florida
 580 Polytechnic University Rule 6C13-6.008.
- 581 (e) **President’s Review and Authority.** The President shall have the sole authority to
 582 grant a Candidate’s reappointment or promotion and will act upon the request for
 583 reappointment or promotion provided by the Provost.
- 584 (1) The granting of reappointment or promotion shall be based on the
 585 University’s criteria, clarifications produced by the Candidate’s unit or
 586 department, the reports and recommendations of the DEP and UEC, any
 587 documents relied upon by the DEP and UEC in creating their reports and
 588 recommendations, the Candidate’s packet, and the written recommendation
 589 of the Provost.
- 590 (2) The President will consider the items listed above, noting that the committee
 591 reports have provided a strong review of the candidate and, in his or her best
 592 judgment, either:
- 593 a. grant reappointment or promotion, via written notice, within the
 594 terms of this contract, or;
- 595 b. deny the request for reappointment or promotion.
- 596 (3) If the President’s final decision on reappointment or promotion is negative,
 597 the President shall provide written justification to the Candidate within
 598 twenty (20) days of the decision.
- 599 (4) The President’s written notice of granting reappointment or promotion
 600 (~~7.8(e)(2)a~~~~6.8(e)(2)a~~) and written justification denying the request for
 601 reappointment or promotion (~~7.8(e)(3)~~~~6.8(e)(3)~~), constitute faculty
 602 evaluative information and/or limited-access records, pursuant to Florida
 603 Polytechnic University Rule 6C13-6.008.

- 604 (f) If a Candidate does not receive a promotion following formal consideration by full
605 review, the Candidate may not reapply for promotion until after the completion of
606 two (2) additional academic years. This clause shall not unreasonably deny a
607 Candidate their terminal promotion consideration to Associate Professor.
- 608 (g) The Candidate being considered for promotion may withdraw from consideration
609 provided that the withdrawal is made before the UEC begins its consideration of
610 the Candidate. Such withdrawal shall be without prejudice and will not render the
611 Candidate ineligible for the next promotional cycle.
- 612 (h) Promotion Date.
- 613 (1) Promotions for professors that are granted shall be effective on August 15
614 following the decision date.
- 615 (2) An individual may use their new title effective upon written notification of
616 their promotion.

617 **7.9 Reappointment and Promotion for Instructors, Senior Instructors, Distinguished**
618 **Instructors, and Professors of Practice.**

- 619 (a) Reappointment & Promotion Materials:
- 620 (1) Reappointment Materials: Instructors must submit the following materials
621 to be considered for reappointment:
- 622 a. Candidate personal statement
- 623 b. Updated, current curriculum vitae
- 624 c. Last two (2) faculty activity reports
- 625 d. Last two (2) reviews from department chair
- 626 (2) Promotion (Instructor to Senior Instructor) Materials: Instructors must
627 submit the following materials to be considered for Promotion to Senior
628 Instructor:
- 629 a. Candidate personal statement
- 630 b. Updated, current curriculum vitae
- 631 c. Teaching portfolio
- 632 d. Last two (2) faculty activity reports
- 633 e. Last two (2) reviews from department chair
- 634 (3) Reappointment of Senior Instructor: Senior Instructors must submit the
635 following materials to be considered for reappointment:
- 636 a. Candidate personal statement to include update of activity since
637 promotion or last reappointment
- 638 b. Updated Curriculum Vitae

- 639 c. Last three (3) faculty activity reports
- 640 d. Last three (3) reviews from department chair
- 641 (4) Promotion (Senior Instructor to Distinguished Instructor) Materials: Senior
 642 Instructors must submit the following materials to be considered for
 643 Promotion to Distinguished Instructor:
- 644 a. Candidate personal statement
- 645 b. Updated, current curriculum vitae
- 646 c. Teaching portfolio
- 647 d. Last three (3) faculty activity reports
- 648 e. Last three (3) reviews from department chair
- 649 (5) Reappointment of Distinguished Instructor: Distinguished Instructors must
 650 submit the following materials to be considered for reappointment:
- 651 a. Candidate personal statement to include update of activity since
 652 promotion or last reappointment
- 653 b. Updated Curriculum Vitae
- 654 c. Last five (5) faculty activity reports
- 655 d. Last five (5) reviews from department chair
- 656 (6) Reappointment of Professor of Practice: Professors of Practice must submit
 657 the following materials to be considered for reappointment:
- 658 a. Candidate personal statement to include update of activity since
 659 promotion or last appointment
- 660 b. Updated Curriculum Vitae
- 661 c. Last three (3) faculty activity reports
- 662 d. Last three (3) reviews from department chair
- 663 e. Other materials relevant to this faculty members contributions to the
 664 University
- 665 (b) Reappointment and Promotion: Types, Notices, and Criteria
- 666 (1) Types:
- 667 a. Faculty at the instructor level undergo reappointment reviews and
 668 promotion review (if eligible and by choice of the candidate).
- 669 b. Instructors are not required to seek promotion, nor may they be
 670 penalized for not seeking promotion.
- 671 c. Once promoted, Senior Instructors likewise undergo reappointment
 672 reviews, as do Distinguished Instructors.

- 673 (2) Notice of Reappointment requirement will take place consistent with the
 674 notification requirement for other faculty.
- 675 (3) Criteria for Instructor, Senior Instructor, Distinguished Instructor and
 676 Professor of Practice reappointment and promotion will be developed
 677 through the process outlined below in Section ~~7.106-10~~.
- 678 (c) Review Panel and Committees for Instructor-Level rank Reappointments and
 679 Promotion (ranks are Instructor, Senior Instructor, and Distinguished Instructor).
- 680 (1) Instructor-DEP: Shall consist of the department DEP and one (1) out-of-
 681 department Distinguished Instructor or Senior Instructor chosen by the
 682 Provost. If there is no out-of-department Senior Instructor, the Provost will
 683 appoint one out of department faculty member with the rank Associate
 684 professor or higher to serve on the instructor DEP.
- 685 (2) Instructor-UEC: Shall consist of the UEC plus one (1) Distinguished
 686 Instructor or Senior Instructor. If there is no individual with the rank Senior
 687 Instructor, the Provost will choose one (1) Associate Professor from outside
 688 the Instructor's department.
- 689 (d) Reappointment and/or Promotion Process, the Instructor Review.
- 690 (1) The Instructor-DEP and Instructor-UEC follow the same process as they do
 691 for other faculty, except there is no outside letter requirement for Instructor
 692 promotion, Senior Instructor promotion or Senior Instructor reappointment,
 693 or Distinguished Instructor reappointment.
- 694 (2) For reappointment reviews of Instructors and Senior Instructors, the
 695 Instructor-DEP provides its report directly to the Provost.
- 696 (3) Every third (3rd) reappointment review for Instructors, Senior Instructors,
 697 and Distinguished Instructors requires an evaluation by the Instructor-UEC.
- 698 (4) Promotion reviews for Instructors and Senior Instructors require an
 699 evaluation by the Instructor-UEC.
- 700 (5) Provost Review and Recommendation.
- 701 a. Both Instructor-DEP and Instructor-UEC reviews for Instructors
 702 and Senior Instructors culminate in either a positive or negative
 703 recommendation by the Provost as described in Section
 704 ~~7.8(d)(2)6-8(d)(2)~~.
- 705 b. These processes shall be consistent with that outlined for other
 706 faculty in Section ~~7.8(d)6-8(d)~~.
- 707 (6) President's Review and Authority. Actions on reappointments and
 708 promotions by the President and Provost will be acted upon in the same
 709 manner as described in Section ~~7.8(e)6-8(e)~~.
- 710 (e) Reappointment Process, Professor of Practice Review.

- 711 (1) The Professor of Practice reappointment process follows the same process
712 as that for Distinguished Instructor.
- 713 (2) Every third (3rd) reappointment review for Professors of Practice requires
714 an evaluation by the Instructor-UEC.
- 715 (3) Provost Review and Recommendation.
- 716 a. Reviews for Professors of Practice culminate in either a positive or
717 negative recommendation by the Provost as described in Section
718 6.8(d)(2).
- 719 b. These processes shall be consistent with that outlined for other
720 faculty in Section 6.8(e).
- 721 (4) President's Review and Authority. Actions on reappointments by the
722 President and Provost will be acted upon in the same manner as described
723 in Section 6.8(e).

724 **7.10 Development of Reappointment and Promotion Criteria for the Instructor Rank,**
725 **Professors of Practice, Assistant Professors, Associate Professors, and Professors.**

- 726 (a) The awarding of reappointment or promotion shall be based on written criteria,
727 which are established by the University and developed by each department in
728 accordance to this Article.
- 729 (b) University Criteria. No later than January 15 of every even-numbered calendar
730 year, the University shall establish the general criteria for the granting of promotion
731 or reappointment, and provide that criteria to each department's Chair. If a category
732 of reappointment or promotion criteria is not in place for an upcoming review cycle
733 where a candidate may request reappointment or promotion, the criteria will be
734 developed to support that cycle.
- 735 (1) Promotion and reappointment criteria shall consider the performance of the
736 work that the professor has been assigned (as reflected in FARE forms),
737 criteria for each rank as set forth in the most recent, BOT-approved Faculty
738 Handbook, and the faculty member's responsibilities as a member of the
739 University and department community.
- 740 (2) The University criteria shall broadly recognize and consist of the following:
- 741 a. Instruction, including regular classroom and laboratory teaching,
742 classroom development, effective development/application of new
743 instructional methods, directing thesis or dissertation committees,
744 and other instructional activities;
- 745 b. Research or other creative activities relevant to the department
746 mission, including scholarly publications, support and advising of
747 graduate students; and
- 748 c. Service to professional societies and contributions to the University
749 and department.

- 750 (3) The criteria shall also include, but are not limited to:
- 751 a. a demonstrated record of scholarly activity, teaching, and as
- 752 appropriate, course and/or curriculum development commensurate
- 753 with the University’s mission and relevant academic discipline(s);
- 754 b. evidence of a positive and growing reputation in his/her chosen sub-
- 755 field within the department’s mission, and;
- 756 c. promise of continued successful performance.
- 757 (4) The Provost will formally request input from the FRC as to the University
- 758 criteria before providing the finalized University criteria to each
- 759 department’s Chair.
- 760 (c) Department Clarifications of University Criteria. The department clarifications,
- 761 described in this section shall provide context for the broader University criteria
- 762 and:
- 763 (1) be consistent with university requirements and faculty work assignments;
- 764 (2) be detailed enough that a reasonable professor should be informed about the
- 765 expectations for performance or accomplishments which are necessary to
- 766 earn reappointment or promotion, assuming that the accomplishments are
- 767 of sufficient quality, quantity, and consistency, and;
- 768 (3) identify some representative examples of the achievements or performance
- 769 characteristics which, if the requirement or distinction were met, are
- 770 appropriate comparisons for reappointment or promotion.
- 771 (d) Criteria and Department-Specific Clarification Review Process. Criteria and
- 772 department-specific clarifications shall be developed and approved on a bi-annual
- 773 cycle according to the following procedures:
- 774 (1) Department Committee Formation and Membership.
- 775 a. The Committee shall consist of:
- 776 1. the Vice Provost of Academic Affairs (or Provost-designee);
- 777 2. Department Chair of each respective department, and;
- 778 3. two (2) faculty members from the department, at least one
- 779 (1) holding the most senior rank in the department, subject
- 780 to the limitations below in ~~7.10(d)(1)c6-10(d)(1)e~~.
- 781 b. In years during which the clarifications are reviewed, department
- 782 faculty shall select their two (2) representative faculty members
- 783 during the first week of the fall semester.
- 784 c. Exceptions to Department Committee Membership.
- 785 1. The Department Committee requires senior-ranking
- 786 membership, followed by overall membership. If a

787 department has three (3) or more senior-ranking faculty
788 members, a senior-ranking faculty member that will be
789 reviewed in the next academic year’s review cycle may not
790 serve on the Department Committee.

791 2. Similarly, if a department has more than ten (10) faculty
792 members, a junior-ranking faculty member that will be
793 reviewed for reappointment in the next academic year’s
794 review cycle may not serve on the departmental committee.

795 3. Faculty members that have resigned, received a notice of
796 non-reappointment or notice of layoff, instructors, and
797 visiting/adjunct faculty are not eligible to serve on the
798 Department Committee or participate in the Department
799 Committee selection process.

800 (I) However, Instructors who have served in a full-time
801 capacity for at least the most recent five (5)
802 consecutive years are eligible to serve on or
803 participate in the Department Committee selection
804 process as it relates to the development of
805 department-specific clarifications for instructors.

806 (2) Development of Department-Specific Clarifications.

807 a. The Provost shall provide a framework for department-specific
808 clarifications and formally charge the Department Committee to
809 develop and maintain written clarifications of the University’s
810 reappointment and promotion criteria in terms aligned with the
811 department’s discipline(s) and assigned duties, and consistent with
812 University standards as established in the most recent BOT-
813 approved version of the Faculty Handbook.

814 b. Upon receiving the University criteria and clarification framework,
815 the Department Committee shall convene to develop clarifications
816 of the University criteria consistent with the department disciplines
817 in accordance with the procedures outlined herein.

818 c. The Department Committee shall complete its review and finalize
819 the department clarifications within fifteen (15) days of receiving
820 the University’s criteria.

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

824 a. Faculty that are in their terminal year of employment (as a result of
825 non-reappointment, resignation, or layoff), visiting/adjunct faculty,
826 and instructors are not eligible to vote on the clarifications.

- 827 Instructors and Senior Instructors, however, are eligible to vote on
828 the department-specific clarifications for instructors.
- 829 **b.** If a majority of a department’s faculty vote in favor of the proposed
830 department clarifications, the department clarifications are
831 forwarded to the Provost for review and approval.
- 832 **c.** If the majority of a department’s professors do not vote in favor of
833 the proposed department clarifications, the Department Committee
834 shall reconsider the proposed clarifications prior to conducting a
835 second vote.
- 836 **1.** The Department Committee shall have five (5) days to
837 reconsider the proposed clarifications and conduct a second
838 vote within five (5) days of finalizing the second round of
839 department clarifications.
- 840 **2.** If the second vote is also unsuccessful, the proposed
841 clarifications shall be forwarded to the Provost for approval,
842 noting the lack of department faculty support.
- 843 **3.** If a vote does not occur within five (5) days of the
844 Committee finalizing the department clarifications, the
845 department clarifications shall be forwarded to the Provost
846 for review, noting that no vote occurred.
- 847 **(4)** Provost Review. Within ten (10) days of receipt, the Provost shall review
848 the proposed department clarifications to ensure compliance with this
849 Agreement, the mission and goals of the University, and University
850 standards as established in the most recent, BOT-approved version of the
851 Faculty Handbook.
- 852 **a.** The Provost will either approve the proposed department
853 clarifications, or return them to the Committee for reconsideration.
- 854 **b.** In the event the Provost returns the proposed department
855 clarifications to the Committee for reconsideration, he/she shall
856 provide objections to any such provision in writing.
- 857 **(5)** Committee Reconsideration. The Department Committee shall reconsider
858 the Provost’s written objections and within ten (10) days after receiving
859 them, shall resubmit the proposed written clarifications to the Provost,
860 incorporating all, some, or none of the objections, along with a written
861 explanation and justification for the resubmitted language.
- 862 **(6)** Provost Reconsideration, Revision and Adoption. The Provost shall
863 reconsider the department clarifications and issue final revisions or
864 approvals with a final adoption of the criteria within seven (7) days after
865 receiving the revised department clarifications.
- 866 **(e)** Changes in Criteria for Reappointment and Promotion for Professors.

- 867 (1) Following the Provost's approval adoption of the final criteria, the
868 University may modify the approved University criteria for reappointment
869 and promotion so long as the UFF has been notified of the proposed changes
870 and been offered an opportunity to discuss such changes in consultation
871 with the President or designee.
- 872 (2) Changes to discipline-specific departmental clarifications may only be
873 considered if changes to the University criteria have been made as described
874 in (e)(1). Such changes to discipline-specific criteria shall be developed and
875 approved according to the process outlined in ~~7.10(d)(2)~~6-10(d)(2).
- 876 (f) **Access to Criteria.** The Reappointment and Promotion criteria shall be available
877 on the Provost's webpage (<https://floridapoly.edu/provost/>) and/or at the written
878 request of any faculty member.
- 879 **7.11 Non-Reappointment of Faculty**
- 880 (a) Faculty members on multi-year appointments cannot be terminated during the
881 contract period except for just cause, layoff, or termination of the funding source in
882 the case of soft money appointments.
- 883 (b) **Reappointment or Promotion Review.** If a faculty member has participated in a
884 reappointment or promotion review and is not provided with an offer of
885 reappointment or promotion,
- 886 (1) a faculty member with a remaining contract term of more than one (1) year
887 will be provided written notice of non-reappointment, advising that the
888 existing contract will not be renewed with no right to continued
889 employment, or;
- 890 (2) a faculty member with a remaining contract term of less than one (1) year
891 will be provided a notice of non-reappointment that the existing contract
892 will not be renewed, and the University shall offer a terminal contract which
893 supersedes the existing contract and expires one (1) year from the date of
894 the written notice, with no right to continued employment.
- 895 (c) If a professor chooses not to participate in a reappointment review, or in the case of
896 an Assistant Professor, chooses not to participate in the promotion process, the
897 professor will be administratively non-reappointed and the professor's employment
898 shall end on the last date of the professor's existing contract.
- 899 (d) Non-reappointed employees are not eligible to receive any salary increases or
900 bonuses during the notice period.
- 901 (e) Non-reappointed employees are not eligible to serve on departmental or university
902 committees without prior approval of the Provost.
- 903 (f) **Payout option.**
- 904 (1) At the time of or following issuance of a notice of non-reappointment to any
905 employee, the University may elect in its discretion to pay the employee for

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

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

912 **7.12 Assistant Librarians and Wellness Counselors.**

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

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

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

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

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

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

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

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

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

926 1. The University will review the Assistant Librarian II and
927 Wellness Counselor II during the second full spring term
928 after initial promotion and thereafter in the spring of the third
929 year of the reappointment contract.

930 (b) Reappointment Review Requirements & Process

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

933 a. The Employee Self-Review Worksheet provided by Human
934 Resources;

935 b. The candidate’s previous performance reviews;

936 c. An updated curriculum vitae;

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

940 (2) Reappointment Process.

- 941 **a.** Dates for reappointment notification and submission of materials to
 942 Supervisor will coincide with those for Faculty.
- 943 **b.** Considerations for reappointment include:
- 944 1. A review of goals, objectives, and accomplishments
 945 achieved over the total review period.
- 946 2. Specific goals, tasks, or assignments derived from annual or
 947 periodic evaluations.
- 948 3. Candidate’s likelihood for continued success.
- 949 4. Any additional criteria established via the process for
 950 University Criteria for Reappointment and Promotion
 951 established for faculty positions.
- 952 **c.** Decisions must be considered by the supervisor, the Provost, and the
 953 Vice Provost of Student Affairs.
- 954 **d.** Upon request, the Provost will provide a written justification for the
 955 reappointment decision.
- 956 (c) Promotion Procedure for Assistant Librarians & Wellness Counselors:
- 957 (1) Employees designated as Assistant Librarian I and Wellness Counselor I
 958 are not obligated to seek promotion, nor will they be penalized for not doing
 959 so.
- 960 (2) Available Ranks for Promotion
- 961 **a.** Assistant Librarian I to Assistant Librarian II
- 962 **b.** Wellness Counselor I to Wellness Counselor II
- 963 (3) Eligibility for Promotion.
- 964 **a.** Minimum Duration of Employment: Employees must have served
 965 at least 5 successful academic years at their current rank in a full-
 966 time capacity, with an overall evaluation rating of “Meets
 967 Expectation” for each of those years, in order to qualify for
 968 consideration of the next highest rank.
- 969 **b.** Minimum Requirements: Employees must have been in a position
 970 of continued employment and not have been given notice of non-
 971 reappointment or termination, and not initially hired at a rank higher.
- 972 (4) Promotion Review Requirements & Process.
- 973 **a.** Candidate Required Materials: Candidates for reappointment must
 974 provide the following materials in their reappointment “packet.”
- 975 1. A personal statement addressing how the candidate fulfills
 976 the responsibilities of the position and advances the mission

- 977 of the unit and the University.
- 978 **2.** The candidate’s previous performance reviews (including
- 979 self-evaluations) and other evaluations since initial hire at
- 980 the University.
- 981 **3.** An updated curriculum vitae.
- 982 **4.** If other materials are used as part of the review, the candidate
- 983 will be informed of this information, and provided a
- 984 minimum of five (5) days to respond to the information.

(5) Promotion Process.

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

b. Considerations for Promotion include:

- 989 **1.** A review of goals, objectives, and accomplishments
- 990 achieved over the total review period.
- 991 **2.** Specific goals, tasks, or assignments derived from annual or
- 992 periodic evaluations.
- 993 **3.** Candidate’s likelihood for continued success and
- 994 appropriate contribution on institutional initiatives.
- 995 **4.** Any additional criteria established via the process for
- 996 University Criteria for Reappointment and Promotion
- 997 established for faculty positions.

c. Promotion Decisions

- 999 **1.** May include inputs from relevant campus stakeholders, such
- 1000 as students, faculty, and other staff.
- 1001 **2.** Must be considered by the supervisor, the Provost, and the
- 1002 Vice Provost of Student Affairs.
- 1003 **3.** Upon request, the Provost will provide a written justification
- 1004 for the promotion decision.

(d) Non-Reappointment.

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

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

- 1013 contracts.
- 1014 (3) Non-reappointed employees are not eligible to receive any salary increases
- 1015 or bonuses during the notice period.
- 1016 (4) Non-reappointed employees are not eligible to serve on departmental or
- 1017 university committees without prior approval of the Provost.
- 1018 (5) Payout option.
- 1019 a. At the time of or following issuance of a notice of non-
- 1020 reappointment to any employee, the University may elect in its
- 1021 discretion to pay the employee for all or a portion of the remaining
- 1022 term of the terminal contract, as may be allowed under Florida law.
- 1023 b. If the University elects this option, it will pay the employee an
- 1024 amount, less withholding, equal to the salary for that portion of the
- 1025 remaining term of the contract which the University is paying out,
- 1026 and the employee’s employment will terminate immediately.

1027 **7.13 Grievability.**

- 1028 (a) The University’s decision not to offer reappointment or promotion to an employee
- 1029 shall not be considered a disciplinary action.
- 1030 (b) The decision to not offer reappointment or promotion is grievable according to
- 1031 Article 11 - Grievance and Arbitration Procedure, as an employee may contest the
- 1032 decision solely because of an alleged violation of a specific term of the Agreement
- 1033 or because of an alleged violation of the employee’s constitutional rights.
- 1034 (c) For the purposes of a grievance about a faculty reappointment or promotion
- 1035 decision, the scope of materials relied upon the denial of a candidate’s
- 1036 reappointment or promotion is limited to the Candidate’s packet, the DEP report
- 1037 and recommendation, the UEC report and recommendation, and the Provost’s
- 1038 recommendation. The University may not subsequently introduce new grounds for
- 1039 that denial during the grievance process nor may it assert that there are other,
- 1040 unwritten grounds for that denial.
- 1041 (d) The remedy for any grievance filed under this provision, if successful, shall not
- 1042 include an award of reappointment or promotion.
- 1043 (e) Such grievances must be filed within thirty (30) days of the Candidate’s receipt of
- 1044 the denial of promotion or reappointment from the President as described in
- 1045 ~~7.8(e)(3)6.8(e)(3)~~ or the President’s denial of an appeal as described in Section
- 1046 ~~7.8(d)(2)c.46.8(d)(2)e.4.~~

- 1047 **(f)** Reports and recommendations from the DEP, UEC, and Provost shall be available
- 1048 for arbitration proceedings consistent with the requirements described in Florida
- 1049 **(g)** Polytechnic University Rule 6C13-6.008.

For the University

For the UFF

David Fugett
Chief Negotiator

Wylie Lenz
Chief Negotiator

Date _____

Date _____