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6.1 General Principles:

- (a) Every candidate for reappointment or promotion will be fairly evaluated, and the evaluation process will be maintained to the highest degree of integrity.
- (a) Faculty are defined as individuals whose primary responsibilities include teaching, service, and where applicable, research. Faculty included in this contract are designated by ranks of Instructor, Senior Instructor, Distinguished Instructor, Professor of Practice, Assistant Professor, Associate Professor, and Professor.
- (b) Reappointment and promotion decisions are not determined by any sole factor and are based upon a careful and rigorous assessment that relies upon faculty and

administrative review of:

~~(1) a faculty member's demonstrated work duties, as relevant, at the University;~~

~~(2) the faculty member's potential for continued appropriate contributions and growth.~~

~~(e)(b)~~ Only evidence that directly pertains to the ~~C~~candidate for reappointment or promotion shall be considered.

~~(c)~~ Reappointment and promotion decisions are not determined by any sole factor and are based upon review of relevant performance and criteria for their positions as described in this contract.

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

~~(e)(d)~~ Non-reappointments shall not be made in an arbitrary or capricious manner.

## 6.2 Appointment~~Employment Contract.~~

(a) All appointments will be made on the universities Letter of University employment contractAppointment form and signed by the President or designee, and the employee.

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

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

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

(3) If the university decides not to observe a special commitment or condition, the university will inform the employee in a timely manner. Upon the employee's request, the university will provide a written justification of its decision not to observe the special commitment or condition.

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

(d) If the University intends to offer a faculty member reappointment, the University will inform the faculty member by June 30 of the academic year in which the reappointment review was conducted.

(e) Resignation.

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

**Commented [JD2]:** The CBA is the employment contract for in unit members. We do receive letters of appointment that provide notice of dates and salaries. Cleaning up the language about what is contract versus appointment letter would make the document more confusing—but seems a better task for lawyers than for faculty to undertake. I did take a crack at part of it though...

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- (2) Upon resignation, all current consideration for reappointment and promotion will cease.

**6.3 Faculty Appointment and Reappointment ~~Contract~~ Duration:**

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

(1) Instructor, Senior Instructor, and Professor of Practice

- a. Initial ~~Contract~~ duration: three (3) years
- b. Reappointment ~~Contract~~ duration: three (3) years.
- ~~c. Promotion ~~Contract~~ duration: Faculty promoted from Instructor to Senior Instructor shall receive an initial appointment contract duration of (3) years.~~

~~(2)~~ Senior Instructor

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

~~(3)~~(2) Distinguished Instructor

- a. Initial ~~contract~~ duration: six (6) years.
- b. Reappointment ~~it contract~~ duration: six (6) years.

~~(4)~~ Professor of Practice

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

~~(5)~~(3) Assistant Professor

- a. Initial ~~Contract~~ Duration: three (3) years.
- b. Reappointment ~~Contract~~ Duration: three (3) years.
- ~~c. Promotion ~~Contract~~ duration: Faculty members promoted from Assistant to Associate Professor shall receive an appointment Contract duration of six (6) years.~~

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

- a. Initial- ~~Contract~~ Duration: For Candidates promoted to Associate Professor to from an appointment as an Assistant Professor at the University, six (6) years. In other cases, three (3) years, unless the University determines that an initial term of four to six (4-6) years is appropriate or warranted. The reason for a longer initial term shall be provided to the UFF upon request.
- b. Reappointment ~~Contract~~ Duration:
  - 1. Three (3) years based upon a Preliminary Departmental Review if available (see Section 6.7(a)(1)).
  - 2. Six (6) years based upon a University ~~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.~~

~~(7)(5)~~ Professor

a. ~~Initial Contract Duration:~~ For candidates promoted to Professor from an appointment as an Associate Professor at the University, six (6) years. ~~In six (6) years in other cases six (6) years~~, unless the University determines that it is in its best interest to offer an initial contract with a three (3) to five (5) year duration.

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

#### **6.4 Faculty Promotion Categories and Eligibility**

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(a) Subject to the requirements set forth herein, faculty holding the rank of Instructor, Senior Instructor, Assistant Professor and Associate Professor shall be eligible to apply for promotion to the next higher rank as follows:

(1) Instructor to Senior Instructor.

(2) Senior Instructor to Distinguished Instructor.

(3) Assistant to Associate Professor.

(4) Associate Professor to Professor.

(5) Distinguished Instructors, Professors of Practice, and Professors are at their highest rank possible and cannot be promoted.

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(b) Notice of Intent. Faculty that seek promotion must declare their intent to seek promotion in writing to the Provost and their Department Chair, no later than September 15<sup>th</sup> of the academic year in which they will seek promotion.

(c) Minimum Qualifications.

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

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

(3) A faculty member may seek an exception to these minimum qualifications by submitting a written request to the Provost with a justification for the request. The University, at its discretion, may provide exceptions upon approval of the Provost or a designee.

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#### **6.46.5 Faculty Reappointment and Promotion Review Eligibility and Requirements-**

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

(1) Instructors, Senior Instructors, Distinguished Instructors, and Professors of Practice

a. Reappointment Cycle: three (3) years. Reappointment.

a.1. Instructors, Senior Instructors, Distinguished Instructors and Professors of Practice receive a Departmental review. Instructors receive an Instructor's Review during the spring semester of the final year of their initial appointment, and a biennial instructor's review (occurring every two years) thereafter.

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

b. Promotion.

1. If Instructors or Senior Instructors seek promotion they will receive a University Review.

b. Instructors are not required to seek promotion, nor may they be penalized for not seeking promotion.

(2) Senior Instructor

a. Reappointment Cycle: three (3) years after Promotion or initial contract. Senior Instructors receive an Instructor's Review during the spring semester of the final year of their contract as described in section 6.9.

(3) Distinguished Instructor

a.2. Reappointment Cycle: six (6) years after Promotion or initial contract. Distinguished Instructors receive an Instructor's Review during the spring semester of the final year of their contract as described in section 6.9.

(4) Professor of Practice

a. Reappointment Cycle: three (3) years after Promotion or initial contract. Professors of Practice receive an Instructor's Review during the spring semester of the final year of their contract as described in section 6.9.

(5)(2) Assistant Professor

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

1. Preliminary Departmental Review (see 6.7(a)(1)) for reappointment begins at the start of the first spring semester following the completion of a minimum of five

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(5) full, contiguous semesters at the current appointed rank.

~~2. Individuals whose employment did not start at the beginning of the fall semester will have their Preliminary Review delayed to the first spring semester following the completion of a minimum of five (5) full, contiguous semesters following their initial appointment.~~

~~3-2. Assistant Professors 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).~~

b. Promotion

1. Assistant Professors must be promoted to Associate Professor by the end of their reappointment term (second ~~(2<sup>nd</sup>)~~ reappointment term), noting Section 6.5(a)(2)a.26.4(a)(5)a.3 above, in order to receive an additional appointment contract with a duration greater than a single terminal year.
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.
3. Other extensions must be formally agreed upon in writing by both the FPU-BOT and UFF-FPU.
4. To be considered for promotion, an Assistant Professor must have a University Full Review as described in Section 6.7(a)(2).

~~(6)(3)~~ Associate Professor

~~a. Reappointment Preliminary Departmental Review (see Section 6.7(a)(1)).~~

~~1-a. Preliminary review for reappointment is only available to Associate Professors as their first review after their initial appointment if their initial appointment is less than six (6) years, and begins at the start of the spring semester of the final year of their initial appointment.~~

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

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

1. Except as described in Section 6.5(a)(3)a6.4(a)(6)a.1, Full University Reviews (see Section 6.7(a)(2)) are required for reappointment of Associate Professors and

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must be completed before the expiration date of a  
Candidate's existing appointment~~contract~~.

~~(1) — If an Associate Professor is reappointed based on a preliminary review, all subsequent reappointment reviews are based upon a Full Review.~~

2. ~~The Full~~University Review may be used, at the  
Candidate's election, to also~~also~~ request promotion ~~to~~  
~~the rank of Professor.~~

3. ~~Full Reviews are required for the reappointment of Associate Professors and must be completed before the expiration date of a Candidate's existing contract.~~

~~(7) — Professor.~~

~~(8)(4)~~ Reappointment is based upon a ~~Full~~University Review (see Section  
6.7(a)(2)).

#### ~~6.5 — Promotion Categories and Eligibility Criteria for Faculty:~~

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

~~(b) — Professional Ranks:~~

~~(1) — Instructor to Senior Instructor.~~

~~(2) — Senior Instructor to Distinguished Instructor.~~

~~a. — Distinguished Instructors are at their highest rank possible and cannot be promoted.~~

~~(3) — Professor of Practice.~~

~~a. — Professors of Practice are at their highest rank possible and cannot be promoted.~~

~~(4) — Assistant to Associate Professor.~~

~~(5) — Associate Professor to Professor.~~

~~(c) — Notice of Intent. Faculty that seek promotion must declare their intent to seek promotion in writing to the Provost and their Department Chair, no later than the start of the fall semester in the academic year in which they will seek promotion.~~

~~(d) — Minimum Qualifications:~~

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

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

~~(3) — A faculty member may seek an exception to these minimum qualifications~~

by submitting a written request to the Provost with a justification for the request. The University, at its discretion, may provide exceptions upon approval of their Chair, and the Provost or a designee.

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

(a) The Candidate submits a “dossier” in support of their reappointment or promotion. The promotion “packet” is the body of material that includes the dossier, 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.

(a) Candidate Prepared Dossier for Assistant Professors, Associate Professors, and Professors.

(1) The Candidate must submit a dossier in support of their reappointment or promotion.

(2) A Candidate for reappointment or promotion must prepare a The dossier for consideration, which must include: a personal statement from the Candidate and elements that show the Candidate’s demonstrated abilities and competencies. The candidate may elect to include letters of reference if they wish, but such letters are not required.

(3) The dossier must include performance reviews received since their last reappointment if applicable (if not, all performance reviews received).

(4) Intentional or significant misrepresentations in the dossier shall serve as just cause for termination pursuant to Article 9 – Discipline.

(5) The Provost in conjunction with the representatives from the faculty governing body (currently the Faculty Assembly) and from UFF-FPU, shall develop the dossier template and the timeline for its use.

(6) The dossier template shall be approved by the Provost and by a majority vote of the Faculty Assembly by May 1<sup>st</sup> of the academic year prior to the reappointment and promotion cycle. If it is not so approved, the dossier template from the prior year shall be used.

(b) Reappointment Dossier for Instructors, Senior Instructors, Distinguished Instructors, and Professors of Practice.

(1) Candidate personal statement

(2) Updated current curriculum vitae

(3) All faculty activity reports since the last review (Departmental or University).

(c) Promotion Dossier for Instructors, Senior Instructors, Distinguished Instructors, and Professors of Practice. In addition to all materials in the reappointment dossier for Instructors and Senior Instructors, the promotion dossier for Instructors and Senior Instructors shall include a Teaching Portfolio.

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~~(b) Packet. The packet is the body of material that includes the candidate dossier, 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, including performance reviews received since their last reappointment if applicable (if not, all performance reviews received).~~

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~~(c) 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.~~

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~~(2) Intentional or significant misrepresentations contained in the Candidate's dossier shall serve as just cause for termination pursuant to Article 9 Discipline.~~

~~(d) Faculty Dossier format:~~

~~(d) The Provost in conjunction with the Faculty Representative Council, shall develop the template, and timeline for use of that template for the Candidate Prepared Dossier.~~

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#### 6.7 Faculty Reappointment and/or Promotion Process: Types, Notices, and Committee Memberships for Assistant Professors, Associate Professors, and Professors.

(a) Types of Review Processes.

(1) Departmental Preliminary Review.

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a. A review that is only conducted by the Department Chair and the Department Evaluation Committee Evaluation Panel (as described below in Section ??-6.7(e)).

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

(2) University Full Review.

a. A review conducted by the Department Chair, the Department Evaluation Committee, and Evaluation Panel, then the University Evaluation Committee (as described below in Section ??-6.7(d)).

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b. Results of the reviews are then provided to the Provost for consideration, except in Sections 6.7(a)(1) & 6.8(e)(4???), in which the results of the reviews are directly provided to the President for consideration.

(b) Notice of Review Requirement

(1) All faculty who require a reappointment review will be notified before the final day of the contract prior to the year in which the review will be conducted by May 1<sup>st</sup> of the academic year prior to the academic year during which the review will be conducted. This notification will include the template for the Candidate Prepared Dossier, the promotion and/or reappointment criteria, and deadlines.

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(1) By ~~September 15<sup>th</sup>, the first day of classes in fall~~ of the year of the review, eligible ~~professors-faculty~~ will inform the University of their election to apply for promotion or proceed with reappointment.

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(2) Candidates for reappointment or promotion shall provide the University with their dossier by the deadline set forth in the Notice referenced in ~~6-7~~ ~~(b)-(3)~~

~~(2)(3)~~ -The deadline shall not be earlier than September 10.

(c) ~~Departmental Evaluation Committee (DEC) Panel ("DEP") Membership~~

(1) ~~The Department Chair conducts their own evaluation and does not participate in the DEC.~~

(2) ~~Individuals in the terminal year of their employment contract (as a result of non-reappointment, resignation, or layoff) are not eligible to serve on the DEC.~~

(3) ~~The DEC will consist of all other members of the candidate's department who have either i) been successfully reappointed or promoted at least once while at the University or ii) were hired at the rank of Associate Professor, Professor, Senior Instructor, or Distinguished Instructor and have completed more than one full year of continuous employment at the University.~~

(4) ~~Faculty members standing for reappointment or promotion shall not participate in any way in deliberations related to their own candidacy, but shall participate in deliberations related to other faculty in the department up for promotion or reappointment.~~

(5) ~~The DEC will select its own chair to organize its deliberations from among its members.~~

~~(4) If there are fewer than 5 members on the DEC eligible to consider each candidate when constituted as described above, the members of the DEC so constituted will select additional members from other departments, subject to Provost approval to bring the membership to 5.~~ ~~DEP Chair.~~

~~a. The Department Chair serves as the chair of the DEP~~

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~~(2) DEP Membership.~~

~~a. For reviews of Assistant and Associate Professors, the DEP shall consist of faculty of a higher rank than the Candidate within the Candidate's department, when possible.~~

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~~b. There must be a minimum of five (5) individuals serving on the DEP, including the DEP Chair.~~

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

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

~~d.(6) A faculty member who is a Candidate for Reappointment may serve on the DEP only with the approval of the Provost and DEP Chair.~~

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

~~(1) — UEC Membership.~~

~~(1) The UEC consists of seven (7) members. The UEC is appointed by the Provost from those holding the rank of Associate Professor or Professor from a nomination pool of at least fourteen (14) eligible faculty members holding the rank of Associate Professor, Professor, Senior Instructor, or Distinguished Instructor provided approved by the faculty governing body (currently the Faculty Representative Council/Assembly).~~

~~a.(2) In years where any Instructors, Senior Instructors, or Distinguished Instructors are up for reappointment or promotion, at least two and no more than three members of the UEC will hold the rank of Senior Instructor or Distinguished Instructor, provided there are at least two otherwise eligible faculty members holding those ranks.~~

~~(3) 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, regardless of any pending grievance to challenge such evaluation (See Section 11.11(a)).~~

~~(4) Individuals that have completed less than one continuous year of employment at the University are ineligible to serve on the UEC.~~

~~1. —~~

~~(5) In years where an individual is up for reappointment review, he or she may not participate in serve on the UEC.~~

~~(6) To facilitate retention of institutional knowledge in the UEC, the nomination pool shall include at least half of the eligible faculty who served on the UEC the previous year.~~

~~(7) The UEC shall choose its own chair from among its members.~~

~~2. —~~

~~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.~~

~~(2) — Number of UEC Members.~~

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~~a. The UEC consists of seven (7) members.~~

6.8 ~~Faculty Reappointment and Promotion Procedure for Assistant Professors, Associate Professors, and Professors.~~

~~(a) General Rules.~~

~~(a) General Principles~~

~~(1) Faculty duties involve teaching, scholarship, and service. The degree to which individual faculty members are expected to undertake work in each of these three areas may vary, and individual faculty members need not be active in all three areas.~~

~~(2) Reappointment and promotion decisions are not determined by any sole factor and are based upon faculty and administrative review of:~~

~~a. A faculty member's demonstrated work performance at the University in the areas to which they have had significant work assignments.~~

~~b. Relevant contributions and achievements before joining the University.~~

~~(1) Previously Promoted. The promotion assessment shall be based primarily on the Candidate's performance since the Candidate's last promotion and must include the Candidate's achievements since they were promoted. However, in assessing promotion to Professor, consideration of prior to promotion activity shall also be included in the evaluation.~~

~~(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.~~

~~b. 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.~~

~~(3) Department Inputs.~~

~~a. If the Department chair is the Candidate and no member from the chair's department is a member of the DEP, the Provost or designee shall select a member of the chair's department to provide input to the DEP before the DEP finalizes their recommendation.~~

~~(b) Department Chair~~EP Review and Recommendation.

~~(1) The University shall provide the Packet (as described in Section 6.6) to the Department Chair~~EP for review.

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(2) The ~~Department Chair~~DEP may acquire and review supplemental materials and/or other information as appropriate.

a. If supplemental materials and/or other information are used as part of the review, the Candidate will be informed of the use of this information and provided ~~a maximum of~~ ten (10) business days to respond to the information.

(3) For ~~Preliminary-Departmental~~ Reviews, the ~~chair-DEP~~ will prepare and provide a report that is added to the Candidate's packet. ~~-The Department Chair's-DEP report recommendation is presented to the Provost directly. Within this report, the DEP may choose to highlight areas of concern and comment on the Candidate's progression towards on-time promotion.~~

(4) For ~~University-Full~~ Reviews, the ~~chair-DEP~~ will prepare and provide a report that is added to the Candidate's packet. ~~-The Department Chair's report-DEP recommendation is presented to the UEC.~~

~~(5) The DEP must operate in executive session and in total confidentiality.~~

~~(5)~~ All ~~Department Chair-DEP~~ reports, recommendations, and work product related to reappointment or promotion constitute faculty evaluative information and/or limited-access records, pursuant to Florida Polytechnic University Rule 6C13-6.008.

(c) DEC Review and Recommendation.

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

(2) The DEC may acquire and review supplemental materials and/or other information as appropriate.

a. If supplemental materials and/or other information are used as part of the review, the Candidate will be informed of the use of this information and provided ten (10) business days to respond to the information.

(3) For Departmental Reviews, the DEC will prepare and provide a report that is added to the Candidate's packet. The DEC report is presented to the Provost directly.

(4) For University Reviews, the DEC will prepare and provide a report that is added to the Candidate's packet. The DEC report is presented to the UEC.

(5) The DEC must operate in executive session and in total confidentiality.

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

(e)(d) UEC Report and Recommendation.

~~(1) If conducted, the Department Chair and DECP will add their reports to the Candidate's packet which includes the dossier, a table listing review~~

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~~requests, the DEP report and recommendation, and any supplemental materials and Candidate responses which were used as part of the decision in the review.~~

(2) The UEC will use the ~~c~~Candidate's packet to consider the reappointment or promotion request.

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

a. If supplemental materials and/or other information is used as part of the review at any time during the process, the ~~c~~Candidate will be informed of the use of this information and provided ~~a maximum of~~ ten (10) business days to respond to the information.

(4) The UEC will prepare a report and recommendation that is addressed to the Provost. The UEC report is added to the ~~c~~Candidate's packet.

~~a. If the Provost chairs the UEC, the Provost will not make a recommendation, but will supply a Candidate's Packet, and both the UEC and DEP reports to the President for a final decision.~~

~~(5)~~ All UEC reports, recommendations, and work product constitute faculty evaluative information and/or limited-access records, pursuant to Florida Polytechnic University Rule 6C13-6.008.

~~a.~~(5) The UEC must operate in executive session and in total confidentiality.

**(d)(e) Provost's Review and Recommendation.**

(1) The Provost shall review all procedural and substantive matters for completeness in order to ensure that the Department Chair, DEC, P and ~~or~~ UEC (if relevant) 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 ~~C~~Candidate.

b. Should the Provost acquire and review supplemental materials and/or other information and decide to consider the additional material as part of the Provost's decision, the new material will be provided to the DEP and UEC. The DEP and UEC will have ten (10) business days to incorporate the new material into their review and decision at their discretion.

1. As with the procedures used by the Department Chair, DEP-DEC 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 Department Chair, DEC, P and UEC review.

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- 551                               2.     If applicable, the supplemental materials and/or other  
552                               information and the Candidate's response(s) will be  
553                               appended to the Candidate's packet.
- 554       (2)    After review of the reports and recommendations of the Department Chair,  
555               DEC.P and UEC (if applicable), and the Candidate's packet, the Provost, in  
556               his or her best judgment, shall make a positive or negative recommendation  
557               in writing as to the Candidate's reappointment or promotion.
- 558               a.     The Provost's recommendation, if positive, is provided to the  
559               President consistent with Section 6.8(f)6.8(e).
- 560               b.     If the Provost's recommendation is negative, the decision and  
561               written justification are provided to the Candidate. Unless  
562               overturned on appeal by the President, negative recommendations  
563               from the Provost are terminal.
- 564               c.     The process for appealing a negative recommendation from the  
565               Provost is as follows:
- 566                       1.     Within ten (10) business days of the Provost's written  
567                       justification being provided the Candidate may submit a  
568                       written appeal to the Office of the President  
569                       ([president@floridapoly.edu](mailto:president@floridapoly.edu)).
- 570                       (I)    Failure to appeal a negative recommendation within  
571                       the ten (10) business day time frame renders the  
572                       recommendation final and subject to no further  
573                       review or grievance.
- 574                       2.     Upon receipt of the Candidate's appeal, the President  
575                       will review the Provost's negative recommendation, the  
576                       UEC and DEP committee reports, and the Candidate's  
577                       packet.
- 578                       3.     The scope of the President's appellate review is limited  
579                       to correcting errors of judgment or process.
- 580                       4.     Within twenty (20) business days of receipt of the  
581                       Candidate's appeal, the President will render a decision  
582                       either granting or denying the appeal on its merits.
- 583       (3)    The Provost's recommendation, Provost's written justification, and the  
584               President's decision as a result of the appeal process constitute faculty  
585               evaluative information and/or limited-access records, pursuant to Florida  
586               Polytechnic University Rule 6C13-6.008.
- 587       ~~(e)(f)~~ **President's Review and Authority.** The President shall have the sole authority to  
588               grant a Candidate's reappointment or promotion and will act upon the request for  
589               reappointment or promotion provided by the Provost.
- 590       (1)    The granting of reappointment or promotion shall be based on the  
591               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.

- (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;
  - b. deny the request for reappointment or promotion.
- (3) If the President's final decision on reappointment or promotion is negative, the President shall provide written justification to the Candidate within twenty (20) business days of the decision.
- (4) The President's written notice of granting reappointment or promotion (~~6.8(f)(2)a6.8(e)(2)a~~) and written justification denying the request for reappointment or promotion (~~6.8(f)(3)6.8(e)(3)~~), constitute faculty evaluative information and/or limited-access records, pursuant to Florida Polytechnic University Rule 6C13-6.008.

~~(f)(g)~~ If a Candidate does not receive a promotion following formal consideration by University Review ~~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.

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~~(g)(h)~~ 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)(i)~~ 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, Senior Instructors, Distinguished Instructors, and Professors of Practice.~~

~~(a) — Reappointment & Promotion Materials:~~

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

- a. ~~Candidate personal statement~~
- b. ~~Updated, current curriculum vitae~~



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~~e. — Last two (2) faculty activity reports~~

~~d. — Last two (2) reviews from department chair~~

~~(2) — Promotion (Instructor to Senior Instructor) Materials: Instructors must submit the following materials to be considered for Promotion to Senior Instructor:~~

~~a. — Candidate personal statement~~

~~b. — Updated, current curriculum vitae~~

~~c. — Teaching portfolio~~

~~d. — Last two (2) faculty activity reports~~

~~e. — Last two (2) reviews from department chair~~

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

~~a. — Candidate personal statement to include update of activity since promotion or last reappointment~~

~~b. — Updated Curriculum Vitae~~

~~c. — Last three (3) faculty activity reports~~

~~d. — Last three (3) reviews from department chair~~

~~(4) — Promotion (Senior Instructor to Distinguished Instructor) Materials: Senior Instructors must submit the following materials to be considered for Promotion to Distinguished Instructor:~~

~~a. — Candidate personal statement~~

~~b. — Updated, current curriculum vitae~~

~~c. — Teaching portfolio~~

~~d. — Last three (3) faculty activity reports~~

~~e. — Last three (3) reviews from department chair~~

~~(5) — Reappointment of Distinguished Instructor: Distinguished Instructors must submit the following materials to be considered for reappointment:~~

~~a. — Candidate personal statement to include update of activity since promotion or last reappointment~~

~~b. — Updated Curriculum Vitae~~

~~c. — Last five (5) faculty activity reports~~

~~d. — Last five (5) reviews from department chair~~

~~(6) — Reappointment of Professor of Practice: Professors of Practice must submit the following materials to be considered for reappointment:~~

- a. ~~Candidate personal statement to include update of activity since promotion or last appointment~~
- b. ~~Updated Curriculum Vitae~~
- c. ~~Last three (3) faculty activity reports~~
- d. ~~Last three (3) reviews from department chair~~
- e. ~~Other materials relevant to this faculty member's contributions to the University~~

~~(b) Reappointment and Promotion: Types, Notices, and Criteria~~

~~(1) Types:~~

- a. ~~Faculty at the instructor level undergo reappointment reviews and promotion review (if eligible and by choice of the Candidate).~~
- b. ~~Instructors are not required to seek promotion, nor may they be penalized for not seeking promotion.~~
- c. ~~Once promoted, Senior Instructors likewise undergo reappointment reviews, as do Distinguished Instructors.~~

~~(2) Notice of Reappointment requirement will take place consistently with the notification requirement for other faculty.~~

~~(3) Criteria for Instructor, Senior Instructor, Distinguished Instructor and Professor of Practice reappointment and promotion will be developed through the process outlined below in Section 6.10.~~

~~(c) Review Panel and Committees for Instructor Level rank Reappointments and Promotion (ranks are Instructor, Senior Instructor, and Distinguished Instructor).~~

~~(1) Instructor-DEP: Shall consist of the department DEP and one (1) out-of-department Distinguished Instructor or Senior Instructor chosen by the Provost. If there is no out-of-department Senior Instructor, the Provost will appoint one out of department faculty member with the rank Associate professor or higher to serve on the instructor DEP.~~

~~(2) Instructor-UEC: Shall consist of the UEC plus one (1) Distinguished Instructor or Senior Instructor. If there is no individual with the rank of Senior Instructor, the Provost will choose one (1) Associate Professor from outside the Instructor's department.~~

~~(d) Reappointment and/or Promotion Process, the Instructor Review:~~

~~(1) The Instructor-DEP and Instructor-UEC follow the same process as they do for other faculty.~~

~~(2) For reappointment reviews of Instructors and Senior Instructors, the Instructor-DEP provides its report directly to the Provost.~~

~~(3) Every third (3<sup>rd</sup>) reappointment review for Instructors, Senior~~

~~Instructors, and Distinguished Instructors requires an evaluation by the Instructor UEC.~~

~~(4) Promotion reviews for Instructors and Senior Instructors require an evaluation by the Instructor UEC.~~

~~(5) Provost Review and Recommendation.~~

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

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

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

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

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

~~(2) Every third (3<sup>rd</sup>) reappointment review for Professors of Practice requires an evaluation by the Instructor UEC.~~

~~(3) Provost Review and Recommendation.~~

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

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

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

**6.106.9 Development of Faculty Reappointment and Promotion Criteria and Clarifications**  
~~Development for the Instructor Rank, Professors of Practice, Assistant Professors, Associate Professors, and Professors.~~

(a) The awarding of reappointment or promotion shall be based on general University written criteria applicable to all faculty and departmental clarifications of those criteria applicable to faculty within specific departments established, which are established by the University and developed by each department in accordance with this Article.

(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

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or reappointment, and provide that criteria to each ~~Department's~~ Chair. 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-faculty member~~ has been assigned (as reflected in FARE forms), ~~criteria for each rank as set forth in the most recent 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, but are not limited to, 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.
- d. ~~A~~ demonstrated record of scholarly activity, teaching, and as appropriate, course and/or curriculum development commensurate with the University's mission and relevant academic discipline(s);

~~e. evidence of a positive and growing reputation in his/her chosen sub-field within the department's mission, and;~~

~~f.e.~~ Promise of continued successful performance.

(3) The Provost will formally request input from the ~~FRC-faculty governing body (currently the Faculty Assembly) in developing the as-to-the~~ University criteria. ~~Criteria must be approved by both the provost and a majority vote of the faculty governing body before providing the finalized version to Department Chairs. If the faculty governing body and the Provost are unable to jointly approve University criteria before the relevant deadline, the previous year's criteria will be used~~ University criteria to each department's Chair.

(c) Department Clarifications of University Criteria. The department clarifications, ~~described in this section~~ shall provide context for the broader University criteria and:

- (1) be consistent with university requirements and faculty work assignments;
- (2) be detailed enough that a reasonable professor should be informed about the expectations for performance or accomplishments which are necessary to earn reappointment or promotion, assuming that the accomplishments are

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of sufficient quality, quantity, and consistency, and;

- (3) identify some representative examples of the achievements or performance characteristics which, if the requirement or distinction were met, are appropriate comparisons for reappointment or promotion.

- (d) Criteria and Department-Specific Clarification Review Process. Criteria and department-specific clarifications shall be developed and approved on a ~~biennial-~~<sup>annual</sup> cycle according to the following procedures:

- (1) Development of Department-Specific Clarifications.

a. ~~The Provost and the faculty of each department (by confidential anonymous vote of in-unit faculty in the department) shall agree on clarifications by April 1<sup>st</sup>. If agreement is not reached, clarifications from the previous cycle shall be retained.~~

~~a-b.~~ The Provost shall provide ~~each Department Chair~~ a framework for department-specific clarifications ~~when they provide the University Criteria to be shared with department faculty and formally charge each Department 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 version of the Faculty Handbook.~~

b. Upon receiving the University criteria and clarification framework, each Department shall ~~convene to~~ develop clarifications of the ~~University~~ criteria consistent with departmental disciplines, ~~the criteria, the University's mission and goals, and in accordance with~~ the procedures outlined herein. ~~When the clarifications are approved by the department they shall be transmitted to the provost for review and approval~~

c. ~~Each Department shall complete its review and vote to finalize the department clarifications within twenty five (25) days of receiving the University's criteria. In a confidential and anonymous vote, if a majority of a department's faculty vote in favor of the proposed department clarifications, the department clarifications are forwarded to the Provost for review and approval. If the majority of a department's faculty do not vote in favor of the proposed department clarifications, the Department Committee shall.~~

e. ~~reconsider the proposed clarifications prior to conducting a second vote within 10 days.~~

1. ~~If the second vote is also unsuccessful, the proposed clarifications shall be forwarded to the Provost for approval, noting the lack of department faculty support.~~

2. ~~If a vote does not occur within five (5) days of the Committee finalizing the department clarifications, the~~

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~~department clarifications shall be forwarded to the  
Provost for review, noting that no vote occurred.~~

**(2) Provost Review and Approval.**

**(2)a.** Within ten (10) business days of receipt of proposed clarifications  
that have been approved by department vote, the Provost shall  
review the proposed department clarifications to ensure compliance  
with this Agreement and the mission and goals of the University;  
and University standards as established in the most recent, BOT  
approved version of the Faculty Handbook.

**a.b.** The Provost will either approve the proposed department  
clarifications, or return them to the department~~Committee~~ for  
reconsideration.

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

**(3) Committee Reconsideration.** If the Provost does not approve clarifications,  
the department will consider revisions based upon the Provost's written  
objections and develop an work to develop criteria that are acceptable to the  
department and address those objections. This process will continue until  
clarifications are approved by both the Provost and the Department. If  
agreement is not reached by April 1<sup>st</sup> the previous cycle's clarifications shall  
be retained~~Each Department shall reconsider the Provost's written~~  
~~objections and within ten (10) days after receiving them, shall resubmit the~~  
~~proposed written clarifications to the Provost, incorporating all, some, or~~  
~~none of the objections, along with a written explanation and justification for~~  
~~the resubmitted language.~~

**(4) Provost Reconsideration, Revision and Adoption.** The Provost shall  
reconsider the department clarifications and issue final revisions or  
approvals with a final adoption of the criteria within seven (7) days after  
receiving the revised department clarifications.

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

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

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

**~~(f)~~**(e) Access to Criteria.** The Reappointment and Promotion criteria and departmental**  
**clarifications** shall be available on the Provost's webpage

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(<https://floridapoly.edu/provost/>) and ~~or~~ at the written request of any faculty member.

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**6.126.10 Non-Reappointment of Faculty**

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- (a) 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 a faculty member has participated in a reappointment or mandatory promotion review and is not provided with an offer of reappointment or promotion:
  - (1) a faculty member with a remaining ~~contract~~appointment term of more than one (1) year will be provided written notice of non-reappointment, advising that the existing ~~contract~~appointment will not be renewed with no right to continued employment, or;
  - (2) a faculty member with a remaining ~~contract~~appointment term of less than one (1) year will be provided a notice of non-reappointment that the existing ~~contract~~appointment will not be renewed, and the University shall offer a terminal ~~contract~~appointment which supersedes the existing ~~contract~~appointment and expires one (1) year from the date of the written notice, with no right to continued employment.
- (c) If 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 professor will be administratively non-reappointed and the professor's employment shall end on the last date of the professor's existing ~~contract~~appointment.
- (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 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.

**6.126.11 Assistant Librarians and Wellness Counselors**

(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 (4<sup>th</sup>) semester of each contract cycle.

(2) Assistant Librarian II and Wellness Counselor II.

- a. Initial Contract Duration: two (2) years
- b. Reappointment Contract Duration: three (3) years

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

(b) Reappointment Review Requirements & Process

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

- a. The Employee Self-Review Worksheet provided by Human Resources;
- b. The Candidate's previous performance reviews;
- c. An updated curriculum vitae;
- d. If other materials are used as part of the review, the Candidate will be informed of this information, and provided ~~a minimum of fiveten~~ (10~~5~~) business days to respond to the information.

(2) Reappointment Process.

- a. Dates for reappointment notification and submission of materials to Supervisor will coincide with those for Faculty.
- b. Considerations for reappointment include:
  - 1. A review of goals, objectives, and accomplishments achieved over the total review period.
  - 2. Specific goals, tasks, or assignments derived from annual or periodic evaluations.





(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:

1. A review of goals, objectives, and accomplishments achieved over the total review period.
2. Specific goals, tasks, or assignments derived from annual or periodic evaluations.
3. Candidate's likelihood for continued success and appropriate contribution on institutional initiatives.
4. Any additional criteria established via the process for University Criteria for Reappointment and Promotion established for faculty positions.

c. Promotion Decisions

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

(d) Non-Reappointment.

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

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

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

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

(5) Payout option.

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

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

**6.136.12 Grievability-**

- (a) The University's decision not to 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 Procedure, as an employee may contest the decision solely because of an alleged violation of a specific term of the Agreement or because of an alleged violation of the employee's constitutional rights.
- (c) For the purposes of a grievance about a faculty reappointment or promotion decision, the scope of materials relied upon the denial of a Candidate's reappointment or promotion is limited to the Candidate's packet, the DEP report and recommendation, the UEC report and recommendation, and the Provost's recommendation. The University may not subsequently introduce new grounds for that denial during the grievance process nor may it assert that there are other, unwritten grounds for that denial.
- (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-two~~ thirty ~~five~~ business days of the Candidate's receipt of the denial of promotion or reappointment from the President as described in ~~6.8(f)(3)6.8(e)(3)~~ or the President's denial of an appeal as described in Section ~~6.8(e)(2)c.46.8(d)(2)e.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.

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