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ARTICLE 6
APPOINTMENT and PROMOTION

6.1 General Principles

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

(b) The University and UFF further recognize that promotions are an important method by which the University recognizes excellence and rewards its employees' contributions to advancing the mission of the University. 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 a faculty member's demonstrated teaching, scholarship, research and service contributions at the University, the assessment of the faculty member's continued positive contribution to their department and the University, as well as the faculty member's potential for continued appropriate contributions and growth. Elements critical to the promotion process include, but may not be limited to, a faculty member's annual performance evaluations, a significant and careful review of credentials by a set of faculty that hold at least the rank ~~(or above that rank)~~ sought by the candidate, an external set of recommendations appropriate for that faculty member by subject matter experts in the candidate's field, and administrative review.

(c) Every candidate for a promotion will be fairly evaluated and the integrity of the evaluation process will be maintained to the highest degree.

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

6.2 Appointment and Reappointment Terms.

(a) Terms for appointments and reappointments are as follows:

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1
2 (1) Assistant Librarian and Wellness Counselor
3

- 4 a. Terms will be determined, and negotiated with the UFF, prior to the date of hire.
5

6 (2) Instructor
7

- 8 a. Initial term: two (2) years
9 b. Reappointment term: two (2) years. The BOT will take into account the hiring cycle
10 in higher education and University will provide instructors with its reappointment
11 decision at least a one (1) year notice the August prior to the end of their instructor's
12 current contract.
13 c. Reappointment decisions must be considered by the division director or chair if no
14 director is present, the provost, and the vice provost of assessment and instruction.
15 Said consideration will be based on the faculty member's performance review,
16 faculty dossier, and other supporting materials.
17 e.d. Upon request, the decision-maker Provost will provide a written justification for
18 his/her decision.
19

20 (3) Assistant Professor
21

- 22 a. Initial term: three (3) years
23 b. Reappointment term: three (3) years
24 c. May only be reappointed once and must apply for promotion no later than ~~in the~~
25 ~~sixth year of employment at the completion of six, fall to spring, academic years (6~~
26 ~~½ years if employment started mid-academic year).~~ However, if hired prior to June
27 1, 2017, such faculty must apply for promotion to Associate Professor no later than
28 the last year of their three-year reappointment term.
29 d. The University may permit a faculty member to delay promotion review by
30 granting a maximum one (1) year extension at this rank due to a valid request for
31 FMLA or other appropriate leave. Additional extensions beyond the extra year are
32 not permitted.
33

34 (4) Associate Professor
35

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- 1 a. Initial term: three years, unless the University determines that an initial term of four
2 (4) or five (5) years is warranted. The reason for a longer initial term shall be
3 provided to the union upon request.
4 b. Reappointment term: three (3) years (shortened review) or six (6) years (full
5 review)
6 c. Promotion term: Faculty members promoted from Assistant to Associate Professor
7 shall receive an appointment term of six (6) years
8

9 (5) “Full” Professor

- 10
11 a. Initial term: six (6) years, unless the University determines that it is in its best
12 interest to offer an initial contract with a shortened duration.
13 b. Reappointment term: six (6) years when based upon a “full” review; three (3) years
14 when based upon a “shortened” review
15 c. Promotion term: Faculty members promoted from Associate Professor to “Full”
16 Professor shall receive an appointment term of six (6) years
17

18 (b) Exception for Faculty Employed Prior to June 1, 2017. A faculty member employed at the
19 University prior to June 1, 2017, and continuously employed thereafter, who has not been
20 promoted while at the University, will have their first “shortened” review conducted in the
21 spring of 2019, 2020 or 2021.
22

- 23 (1) Faculty members must request inclusion in the shortened review pool. The University
24 shall notify faculty in a timely manner that they must request inclusion.
25
26 (2) Up to fifteen (15) faculty may elect to be reviewed in the first round of shortened
27 reviews in the spring of 2019, and eighteen (18) faculty members may elect to be
28 reviewed in the spring of 2020. The remaining faculty that request a review will be
29 reviewed in the spring of 2021.
30
31 (3) If more than fifteen (15) faculty members elect to be reviewed in the first round, or
32 eighteen (18) faculty members in the second round, elect to be reviewed, the reviews
33 will be granted in reverse order of seniority by rank (“Full” Professors reviewed first)
34 and regular order by employment seniority.
35

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1 (4) If less than eighteen (18) faculty elect to be reviewed in the second round (2020), the
2 University will select candidates in reverse order of seniority by rank (“Full” Professors
3 first) and regular order by employment seniority (employees that have the greatest
4 longevity of employment are reviewed first).
5

6 (5) The Provost may elect to allow another maximum of six (6) individuals to be reviewed
7 in each round of reviews based on a request from the individual and their director, or
8 chair if the director is not present.
9

10 (6) Until a faculty member has received a three (3) year appointment based on a shortened
11 review, or alternatively, has been promoted, such faculty member is only eligible for a
12 contract that is at most two (2) years in duration. During this time period, the University
13 retains the right non-reappoint such faculty members for substantiated poor
14 performance.
15

16 (c) If a faculty member has participated in a review and is not provided with a reappointment,
17 the faculty member shall be entitled to one (1) additional year of employment, with no right
18 to continued employment. If a faculty member chooses not to participate in a
19 reappointment review, or in the case of an Assistant Professor, chooses not to participate
20 in the promotion process, the faculty member’s employment shall end on the last date of
21 the faculty member’s existing contract.
22

23 6.32 Appointment Expiration and Reappointment Notice. Faculty appointments expire on the date
24 set forth in the faculty member’s employment contract. Prior to the expiration of a faculty
25 member’s appointment, the University will provide a letter to the faculty member notifying
26 them of the expiration of their appointment. If the University intends to offer a faculty member
27 reappointment, the University will inform the faculty member by August 15th of the ~~last~~ year
28 before ~~of~~ the faculty member’s existing employment contract expires.
29

30 6.43 Faculty Reappointment Review.
31

32 (a) Shortened Review
33

34 (1) Assistant Professors shall receive a shortened review during the spring semester of the
35 final year of their initial appointment (or in the case of those hired before June 1, 2017, the

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1 schedule noted above is followed), except Assistant Professors applying for promotion to
2 Associate Professor.

3
4 (2) Associate Professors hired after July 2017 shall receive a shortened review during the
5 spring semester of the final year of their initial appointment only.

6
7 (3) Assistant and Associate Professors hired on or before July 2017 shall receive a
8 shortened review as provided in 6.1(b) above.

9
10 (4) The shortened review will also be used for the initial review of “Full” Professors hired
11 for an initial term of less than six (6) years.

12
13 (b) Full Review

14
15 (1) All “Full Professors” hired for an initial term of six (6) years shall receive a full review
16 during the spring semester (process begins in the fall) of the final year of their initial
17 appointment term and every six (6) years thereafter.

18
19 (2) All Associate Professors shall receive a full review during the spring semester (process
20 begins in the fall) of the final year of ~~any appointment term subsequent to the initial~~
21 ~~appointment term~~ six year appointment term or a non-initial three year term-

22
23 (3) An Associate Professor seeking a promotion shall normally have any such promotion
24 considered during the full review process.

25
26 (4) All Assistant Professors must receive a full review in order to be promoted to Associate
27 Professor.

28
29 6.5 Reappointment and Promotion Criteria. The awarding of reappointment or promotion shall be
30 based on written criteria, which is established by the University and tailored by each
31 department in accordance to this article.

32
33 (a) University Criteria. The University will provide general criteria for the granting of

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1 promotion or reappointment to each department. Promotion and reappointment criteria
2 shall consider the performance of the work that the faculty member has been assigned (as
3 reflected in FARE forms), criteria for each rank as set forth in the 2018-2019 Faculty
4 Handbook, and the faculty member's responsibilities as a member of the University and
5 department community. The general criteria are ~~generally~~ recognized broadly in three (3)
6 categories as follows:
7

- 8 (1) Instruction, including regular classroom and laboratory teaching, classroom
9 development, effective development/application of new instructional methods,
10 directing thesis or dissertation committees, and other instructional activities;
11
12 (2) Research or other creative activities relevant to the department mission, including
13 scholarly publications, support and advising of graduate students; and
14
15 (3) Service to professional societies and contributions to the University and department.
16

17 These criteria shall include, but are not limited to, a demonstrated record of scholarly
18 activity, teaching, and as appropriate, course and/or curriculum development
19 commensurate with the University's mission and relevant academic discipline(s), evidence
20 of a positive and growing reputation in his/her chosen sub-field within the department's
21 mission, and promise of continued successful performance.
22

23 (b) Department Clarifications of University Criteria. The department clarifications shall
24 flexibly define department criteria based upon the broader University criteria and:
25

- 26 (1) Be ~~adaptable tailored to~~ consistent with university requirements and faculty duty
27 assignments various assigned duties;
28
29 (2) Be detailed enough that a reasonable faculty member should be informed about the
30 performance or accomplishment expectations necessary to earn reappointment or
31 promotion, assuming that the accomplishments are of sufficient quality, quantity and
32 consistency; and
33

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1 (3) Identify some representative examples of the achievements or performance
2 characteristics which, if the requirement or distinction were met, are appropriate
3 comparisons for reappointment or promotion.
4

5 (c) Criteria and Discipline-specific Clarification Review Process. Criteria and department-
6 specific clarifications shall be approved according to the following:
7

8 (1) The University shall establish the criteria on an annual basis, and provide it to each
9 department's Division Director, or Chairperson if no Division Director is present.
10 Following receipt by the department, the Committee shall convene to tailor the criteria
11 to the department disciplines in accordance with the procedures outlined herein. The
12 Committee shall complete its review and finalize the department clarifications within
13 fifteen (15) days of receiving the University's criteria.
14

15 (2) Department Faculty Vote. Within ten (10) days of the Committee finalizing the
16 department clarifications, the department faculty shall conduct a confidential and
17 anonymous vote on said clarifications. Faculty that are in their terminal year of
18 employment (as a result of non-reappointment or layoff), visiting faculty, and
19 instructors do not vote on the clarifications.
20

21 a. If a majority of a department's faculty votes in favor of the proposed department
22 clarifications, the department clarifications are forwarded to the Provost for
23 review and approval.
24

25 b. If a majority of a department's ~~in-unit~~ faculty do not vote in favor of the
26 proposed department clarifications, the Committee (as outlined in Section
27 6.4(c)) shall reconsider the proposed clarifications prior to conducting a second
28 vote. The Committee shall have five (5) days to reconsider the proposed
29 clarifications and hold a second vote within five (5) days of finalizing the
30 second round of department clarifications. If the second vote is also
31 unsuccessful, the proposed clarifications shall be forwarded to the Provost for
32 approval, noting the lack of department faculty support.
33

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1 c. If a vote does not occur within five (5) days of the Committee finalizing the
2 department clarifications, the department clarifications shall be forwarded to
3 the Provost for review, noting that no vote occurred.
4

5 (3) Provost Review. Within ten (10) days of receipt, the Provost shall review the proposed
6 department clarifications to ensure compliance with this Agreement, the mission and
7 goals of the University, and with University standards as established in the 2018-2019
8 Faculty Handbook. The Provost will either approve the proposed department
9 clarifications, or return them to the Committee for reconsideration. In the event the
10 Provost returns the proposed department clarifications to the Committee for
11 reconsideration, he/she shall provide objections to any such provision in writing.
12

13 (4) Committee Reconsideration. The Committee shall reconsider the Provost’s written
14 objections and within ten (10) days after receiving them, shall resubmit the proposed
15 written clarifications to the Provost, incorporating all, some, or none of the objections,
16 along with a written explanation and justification for the resubmitted language.
17

18 (5) Provost Reconsideration. The Provost shall reconsider the department clarifications
19 and issue final revisions or approvals within seven (7) days after receiving the revised
20 department clarifications.
21

22 (d) Department Committee.
23

24 (1) The Vice-Provost of Assessment and Instruction (or designee), Department
25 Chairperson (or if Division/Department Director is present, Division director, or
26 designee) of each respective department, and two (2) faculty members from the
27 department (at least one holding the most senior rank in the department, subject to the
28 limitation below) shall form the “Committee.” Department faculty shall select their
29 representative faculty members on an annual basis during the first week of the fall
30 semester (except for Spring 2019, when the Committee shall be formed ~~in the first~~
31 ~~week~~ as early as possible in -of that semester). Faculty members that received a notice
32 of non-reappointment or notice of layoff, instructors, and visiting faculty are not
33 eligible to serve on the Committee or participate in the Committee selection process
34 (this includes individuals that contest their non-renewal status).
35

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1 (2) The Provost shall provide a framework and formally charge said Committee to develop
2 and maintain written clarifications of the University's reappointment and promotion
3 criteria in terms tailored to the department's discipline(s) and assigned duties, and
4 consistent with University standards as established in the 2018-2019__Faculty
5 Handbook.
6

7 (e) The criteria shall be available in the department and in the Provost's office or upon request
8 from the Department Chairperson. All such criteria shall also be provided to UFF upon
9 written request.
10

11 6.6 Promotion Categories and Eligibility Criteria. Subject to the requirements set forth herein,
12 faculty holding the rank of Assistant Professor, and Associate Professor shall be eligible to
13 apply for promotion to the next higher rank.
14

15 (a) Individuals that seek promotion from Associate Professor to "full" professor, must declare
16 their intent to seek promotion in writing to their Division Director if present, chair if no
17 director is present, and the provost no later than August 1 before the academic year in
18 which they will seek promotion.
19

20 (b) Minimum Qualifications. Faculty must serve at least five (5) academic years at their current
21 rank in order to qualify for promotional consideration to a higher rank. At least two (2) of
22 the five (5) immediately preceding academic years must be served at the University. The
23 University may provide exceptions to these minimum qualifications upon request of a
24 faculty member and approval of their Chair, Director (when a Director is present), and the
25 Provost or designee.

26 (c) If the University previously promoted the candidate, the promotion assessment shall be
27 based on the candidate's performance since the candidate's last promotion.

28 (d) If the University has not previously promoted the candidate, the promotion assessment is
29 cumulative and must include consideration of the candidate's achievements prior to
30 employment at the University. However, the candidate's promotion assessment must also
31 establish that the candidate has continued to progress and achieve in the categories and
32 criteria used for reappointment and/or promotion while employed at the University.
33

34 6.6-7 Changes in Criteria for Reappointment and Promotion.

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1
2 (a) Following the Provost’s approval of the criteria, the University may modify the approved
3 University criteria for reappointment and promotion so long as the UFF has been notified
4 of the proposed changes and offered an opportunity to discuss such changes in consultation
5 with the President or designee.
6

7 (b) Changes to discipline-specific departmental clarifications of the University criteria shall
8 be developed and approved according to the process outlined above.
9

10 6.7-8 Reappointment and/or Promotion Procedure. The below procedure shall be followed for all
11 reviews related to reappointment and promotions, with exceptions noted below regarding
12 “Shortened” reviews.
13

14 (a) The University will provide notification to eligible faculty members ~~during prior to~~ the
15 semester ~~prior to that~~ their reappointment and/or promotion review starts, and for Assistant
16 Professor’s promotion review taking place, with the exception of reviews conducted in
17 Spring 2019. Such notification will provide the faculty members with information relevant
18 to the applicable reappointment/promotion process including instructions, information, and
19 deadlines.
20

21 (b) Faculty shall provide the University with their Packet by the deadline set forth in the notice
22 referenced herein.
23

24 (c) If a faculty member does not receive a promotion following consideration, the faculty
25 member may not reapply for promotion until after the completion of two (2) additional
26 academic years. This clause shall not unreasonably deny a faculty member their terminal
27 promotion consideration to Associate Professor.
28

29 (d) The candidate being considered for promotion may withdraw from consideration provided
30 that the withdrawal is made before the UEC begins its consideration of the candidate. Such
31 withdrawal shall be without prejudice and will not render the candidate ineligible for the
32 next promotional cycle.
33

34 (e) The University shall provide the Packet (as described in Section 6.8) to the PAEP for
35 review. For reviews of Associate and Assistant Professors, the PAEP shall consist of

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1 faculty of a higher rank than the Candidate within the Candidate’s division, or if no division
2 is present, within the Candidate’s department. The Division Director, if present, or if there
3 is not a division, the Department Chair chairs the PAEP if he or she holds the appropriate
4 faculty appointment rank. If the Division Director or Department Chair does not hold the
5 appropriate rank, the Provost will appoint a chair for the PAEP. There must be a minimum
6 of three (3) qualified (appropriately ranked) individuals serving on the PAEP. If the number
7 of individuals available to serve on the PAEP is less than three (3), the Provost and **PAEP**
8 Chair will each select a faculty member of appropriate rank from another unit at the
9 University to serve on the PAEP. If the PAEP includes no members from the candidate’s
10 department, the PAEP will request input from the department chair before finalizing their
11 recommendation. If the chair is the candidate and no member from the chair’s department
12 is a member of the PAEP, the Provost or designee shall select a member of the chair’s
13 department to provide input to the PAEP before the PAEP finalizes their recommendation.
14

15 The PAEP will prepare and provide a report and recommendation to the UEC during a full
16 review, or if during the “shortened review” process, directly to the Provost.
17

- 18 (f) University Evaluation Committee (“UEC”). The UEC is not utilized as part of the
19 shortened review **evaluation** process. The UEC is formed from those holding “Full”
20 Professor rank from a nomination pool provided by the faculty assembly (or equivalent);
21 however, if there are less than five qualified individuals at the University, all such qualified
22 individuals shall be deemed in the nomination pool. Individuals that are in their terminal
23 year of employment (**as a result of non-reappointment or layoff**) are not eligible to serve
24 on the UEC or PAEP. Term duration will be staggered to have a “normal” term of 3 years
25 in length and with overlap in UEC membership so that committee memory is maintained.
26 In years where an individual is up for reappointment review, he or she may not participate
27 in the UEC. If less than three (3) individuals are eligible to staff the UEC, the UEC will be
28 chaired by the Provost with all eligible faculty serving as members. When the University
29 includes fewer than 10 individuals with rank “Full” Professor, the UEC will be between
30 three and five individuals at the discretion of the administration. With 10 to 20 Professors
31 on staff, the UEC will be between five and seven individuals at the discretion of the
32 administration, with more than twenty (20) “Full” Professors, the committee will include
33 seven members. The UEC must operate in executive session and in total confidentiality.
34

35 When reviewing a “Full” Professor, and that faculty member’s unit does not have a

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1 minimum of four (4) individuals with the rank of “Full” Professor, the UEC will be the
2 sole reviewing committee for that faculty member.

3
4 The UEC will prepare a report and recommendation, and provide both the PAEP (if it was
5 done) and UEC reports and recommendations to the Provost. If the Provost chairs the UEC,
6 the Provost will not make a recommendation, but will supply a candidate’s Packet, and
7 both the UEC and PAEP reports to the President for a final decision.

8
9 (g) Provost’s Review and Recommendation. After a careful review of the PAEP’s and UEC’s
10 reports and recommendations, the Provost shall make a positive or negative
11 recommendation as to the Candidate’s reappointment or promotion. The Provost’s
12 recommendation, if positive, is provided to the President, and if negative, the decision and
13 written justification is-are provided to the Candidate. Negative recommendations from the
14 Provost are terminal, but are appealable to the President. ~~If the Provost’s final decision on~~
15 ~~reappointment and promotion is negative, the Candidate may request a written justification~~
16 ~~of the decision within ten (10) days of receiving the Provost’s determination. Upon such a~~
17 ~~request, the Provost shall, within twenty (20) days, provide such a written justification to~~
18 ~~the Candidate.~~

19
20 (h) President’s Review and Authority. The President shall have the sole authority to grant a
21 Candidate’s reappointment or promotion. The granting of reappointment or promotion
22 should be based on the University’s criteria and criteria produced by the Candidate’s unit
23 or department, the reports and recommendations of the PAEP and UEC, any documents
24 relied upon by the PAEP and UEC in creating said reports, and the recommendation of the
25 Provost.

26
27 (i) If the President’s final decision on reappointment and promotion is negative, the Candidate
28 may request within ten (10) days a written justification of the decision. Upon such a
29 request, the President or representative shall, within twenty (20) days, provide such a
30 written justification to the Candidate.

31
32 6.8-9 Reappointment and/or Promotion Packet. The Reappointment and/or Promotion Review
33 Packet (“Packet”), utilized in the procedure set forth in Section 6.5 shall include, at a minimum,
34 the following:
35

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1 (a) Faculty Prepared Dossier. A Candidate for reappointment or promotion prepares a dossier
2 for consideration. This dossier must include a personal statement from the Candidate,
3 elements that show the Candidate’s demonstrated abilities and competencies in teaching,
4 service, and research, including but not limited to all evaluation materials from prior years
5 of employment at the University. Intentional or significant misrepresentations contained in
6 the Candidate’s dossier shall serve as cause for termination. The UEC shall ~~provide~~
7 ~~develop the guidelines and rules format and guidelines~~ for the Faculty Prepared Dossier ~~and~~
8 ~~send to the Faculty Representative Council (“FRC”) for review and comment. These The~~
9 ~~FRC shall, guidelines will be by the Faculty Representative Council within fourteen (14)~~
10 ~~days of receipt, review the format and guidelines, and recommend approval or changes;~~
11 ~~omments to be forwarded~~ to the UEC. ~~The UEC will consider the FRC’s~~
12 ~~recommendations, make~~ Changes made as appropriate, ~~and forward the final format and~~
13 ~~guidelines provided~~ to the Provost. ~~The Provost will consider the totality of the~~
14 ~~recommendations and finalize the format and guidelines based on these inputs. for approval~~
15 ~~(if not approved, sent back to the UEC for further revision).~~ Faculty Prepared Dossier must
16 ~~follow the final format as finalized by the Provost and faculty are solely responsible for the~~
17 ~~content within, and production of, the dossier.~~

18
19 (b) Reference Letters. Reference letters are required for promotion reviews and may be
20 requested for “full” reviews by either the candidate or the division director (or chair if no
21 director is present). Reference letters will be requested using a template from the UEC that
22 instructs the external reviewer on the individual being evaluated, the materials supplied,
23 and any special considerations, including the University’s history. This template will be
24 developed by the UEC ~~and sent to the Faculty Representative Council (“FRC”) for review~~
25 ~~and comment., vetted approved by t. The Faculty Representative Council~~ FRC shall, within
26 ~~fourteen (14) days of receipt, review the template, and recommend either approval or~~
27 ~~changes to the template. This recommendation will return to the UEC which will consider~~
28 ~~the input from the FRC and will forward their recommendations, along with notations~~
29 ~~regarding the input from the FRC to the Provost. The Provost will consider the totality of~~
30 ~~the recommendations and finalize the template based on these inputs., and approved by the~~
31 ~~Provost.~~ The Candidate “nominates” up to four (4) individuals to provide reference letters.
32 The Division Director, or if the academic unit does not belong to a division, Department
33 Chair, in conjunction with the Program Area Evaluation Panel (“PAEP”) formally requests
34 all external reference letters, ~~which shall include all individuals at a minimum two~~
35 ~~individuals nominated by the Candidate, and a minimum of two of these letters being~~ from

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1 individuals not nominated by the Candidate. The Candidate must sign a document
2 acknowledging the confidentiality of the external review and that the Candidate will not be
3 allowed to acquire the external review or reviewers' names. The reviewers' letters
4 requested by the Candidate will remain confidential, but the reviewers' letters requested
5 by the BOT shall be made available upon request with the names and identifying
6 information redacted. A minimum of four (4) reference letters must be requested. The
7 confidential reference letters shall be included for review with Candidate's dossier and any
8 supplemental materials. A list of the names of all individuals asked to provide a review and
9 whether any declined to provide this review, and reason given, if any, will also be included.
10 Promotion^a and reappointment decisions shall not be based solely on the reference letters
11 received.

12
13 (c) PAEP and UEC Supplemental Information. Both the PAEP and the UEC may acquire and
14 provide supplemental materials and/or other information as they see fit. If supplemental
15 materials and/or other information is used as part of the review, the candidate will be
16 informed of the use of this information, and provided a minimum of five (5) days to respond
17 to the information.

18
19 6.10 Promotion Date. Promotions that are granted shall be effective on August 15th following
20 the decision date. An individual may use their new title effective after written notification of
21 their promotion.

22
23 6.11 Grievability. The University's decision to not offer reappointment or promotion to a faculty
24 member shall not be considered as disciplinary action. The decision to not offer
25 reappointment or promotion is grievable according to Article 11 - Grievance and Arbitration
26 Procedure, as a faculty member may contest the decision because of an alleged violation of
27 a specific term of the Agreement or because of an alleged violation of the employee's
28 constitutional rights. The remedy for any grievance filed under this provision, if successful,
29 shall not include an award of reappointment or promotion. Such grievances must be filed
30 within thirty (30) days of the Candidate's receipt of the promotion or reappointment decision.
31 The PAEP and UEC reports shall be available for arbitration proceedings upon request.

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