

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 appointments and promotions. The University and UFF share the desire to improve the quality of the University in all areas, but particularly in teaching and research. 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 the rank (or above that rank) sought by the candidate,~~, or above that rank, an external set of recommendations appropriate for that faculty member—by subject matter experts in the candidate's field, comparison of the candidate's accomplishments with those who have achieved the rank sought by the candidate and who are faculty members at peer institutions,~~ 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.

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1 6.2 Appointment and Reappointment Terms.

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

3 (1) Assistant Librarian and Wellness Counselor

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

5 (2) Instructor

6 a. Initial term: two (2) years

7 b. Reappointment term: two (2) years. The BOT will take into account the hiring cycle
8 in higher education and provide at least a year notice the August prior to the end of
9 their current contract.

10 May be reappointed based on contributions to the University; annual performance
11 review results; and University need.

12 c. Reappointment decisions must be considered by the division director or chair if no
13 director is present, the provost, and the vice provost of assessment and instruction.
14 Said consideration will be based on the faculty member's performance review,,
15 faculty dossier, and any other supporting material deemed appropriate.

16 e.d. Upon request, the decision maker will provide a written justification.

17 (3) Assistant Professor

18 a. Initial term: three (3) years

19 b. Reappointment term: three (3) years

20 c. May only be reappointed once and must apply for promotion no later than in the
21 sixth year of employment (6 ½ years if employment started mid-academic year).
22 However, if hired prior to June 1, 2017, such faculty must apply for promotion to
23 Associate Professor no later than the last year of their three-year reappointment
24 term.

25 d. The University may permit a faculty member to delay promotion review by
26 granting a maximum one (1) year extension at this rank due to a valid request for
27 FMLA or other appropriate leave. Additional extensions beyond the extra year are
28 not permitted.

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

11
12 (5) “Full” Professor
13

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

19
20 (b) Exception for Faculty Employed Prior to June 1, 2017. A faculty member employed at the
21 University prior to June 1, 2017, and continuously employed thereafter, who has not been
22 promoted while at the University, will have their first “shortened” review conducted in the
23 spring of 2019, 2020 or 2021. ~~Section 6.2 and all subsections contained therein shall~~
24 ~~automatically sunset following the completion of the 2020-2021 academic year.~~

25
26 (1) Faculty members must request inclusion in the shortened review pool. The University
27 shall notify faculty in a timely manner that they must request inclusion.

28
29 (2) Up to fifteen (15) faculty may elect to be reviewed in the first round of shortened
30 reviews in the spring of 2019, and eighteen (18) faculty members may elect to be
31 reviewed in the spring of 2020. The remaining faculty will be reviewed in the spring
32 of 2021.

33
34 (3) If more than fifteen (15) faculty members elect to be reviewed in the first round, or
35 eighteen (18) faculty members in the second round, elect to be reviewed, the reviews

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1 will be granted in reverse order of seniority by rank (“Full” Professors reviewed first)
2 and regular order by employment seniority.

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

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

12
13 (6) Until ~~the-a~~ faculty member has received a three (3) year appointment based on a
14 shortened review, or alternatively, has been promoted, such faculty member is only
15 eligible for a contract that is at most two (2) years in duration. During this time period,
16 the University may lay-off or discipline faculty based on substantiated misconduct or
17 performance issues per the processes in this Collective Bargaining Agreement (see
18 articles on Performance Evaluation, Discharge & Discipline, and/or Lay-Off and
19 Recall). non reappoint such faculty members for poor performance, as reflected in their
20 performance evaluations.

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

28
29 6.32 **Appointment Expiration and Reappointment Notice.** Faculty appointments expire on the date
30 set forth in the faculty member’s employment contract. Prior to the expiration of a faculty
31 member’s appointment, the University will provide a letter to the faculty member notifying
32 them of the expiration of their appointment. If the University intends to offer a faculty member
33 reappointment, the University will inform the faculty member by August 15th of the last year
34 of the faculty member’s existing employment contract.

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| 1 6.43 Faculty Reappointment Review.

| 2 (a) Shortened Review

| 5 (1) Assistant Professors shall receive a shortened review during the spring semester of the
| 6 final year of their initial appointment (or in the case of those hired before June 1, 2017, the
| 7 schedule noted above is followed), except Assistant Professors applying for promotion to
| 8 Associate Professor.

| 10 (2) Associate Professors hired after July 2017 shall receive a shortened review during the
| 11 spring semester of the final year of their initial appointment only.

| 13 (3) Assistant and Associate Professors hired on or before July 2017 shall receive a
| 14 shortened review as provided in 6.1(b) above.

| 16 (4) The shortened review will also be used for the initial review of “Full” Professors hired
| 17 for an initial term of less than six (6) years.

| 19 (b) Full Review

| 21 (1) All “Full Professors” hired for an initial term of six (6) years shall receive a full review
| 22 during the spring semester (process begins in the fall) of the final year of their initial
| 23 appointment term and every six (6) years thereafter.

| 25 (2) All Associate Professors shall receive a full review during the spring semester (process
| 26 begins in the fall) of the final year of any appointment term subsequent to the initial
| 27 appointment term.

| 29 (3) An Associate Professor seeking a promotion shall normally have any such promotion
| 30 considered during the full review process.

| 32 (4) All Assistant Professors must receive a full review in order to be promoted to Associate
| 33 Professor.

| 35 6.45 Reappointment and Promotion Criteria. The awarding of reappointment or promotion shall

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1 be based on written criteria, which is established by the University and tailored by each
2 department in accordance to this article.

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

- 11
12 (1) Instruction, including regular classroom and laboratory teaching, classroom
13 development, effective development/application of new instructional methods,
14 directing thesis or dissertation committees, and other instructional activities;
- 15
16 (2) Research or other creative activities relevant to the department mission, including
17 scholarly publications, support and advising of graduate students; and
- 18
19 (3) Service to professional societies and contributions to the University and department.

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

26
27 (b) Department Clarifications of University Criteria. The department clarifications shall:

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

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

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

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

15
16 (2) Department Faculty Vote. Within ~~five (5) days ten (10) days~~ of the Committee
17 finalizing the department clarifications, the department faculty shall conduct a
18 confidential and anonymous vote on said clarifications. Faculty that are in their
19 terminal year of employment, visiting faculty, and instructors do not vote on the
20 clarifications.

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

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

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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 ~~fifteen (15) days~~ ten (10) days of receipt, the Provost shall
6 review the proposed department clarifications to ensure compliance with this
7 Agreement, the mission and goals of the University, and with University standards as
8 established in the 2018-2019 Faculty Handbook. The Provost will either approve the
9 proposed department clarifications or return them to the Committee for
10 reconsideration. In the event the Provost returns the proposed department clarifications
11 to the Committee for reconsideration, he/she shall provide objections to any such
12 provision in writing.
13

14 (4) Committee Reconsideration. The Committee shall reconsider the Provost's written
15 objections and within ten (10) days after receiving them, shall resubmit the proposed
16 written clarifications to the Provost, incorporating all, some, or none of the objections,
17 along with a written explanation and justification for the resubmitted language.
18

19 (5) Provost Reconsideration. The Provost shall reconsider the department clarifications
20 and issue final revisions or approvals within seven (7) days after receiving the revised
21 department clarifications.
22

23 (d) Department Committee.
24

25 (1) The Vice-Provost, ~~– of~~ Assessment and Instruction (or designee), ~~chairperson (or if~~
26 ~~division director is present, division director [or his/her designee]~~~~division director (or~~
27 ~~chairperson if no division director is present)~~ of each respective department, and two
28 (2) faculty members from the department (at least one holding the most senior rank in
29 the department, subject to the limitation below) shall form the “Committee.”
30 Department faculty shall select their representative faculty members on an annual basis
31 during the first week of the fall semester ~~(except for Spring 2019, when the Committee~~
32 ~~shall be formed in the first week of that semester). However, f~~~~Faculty members shall~~
33 ~~not be eligible to serve on the Committee if they that~~ received a notice of non-
34 reappointment or notice of layoff, ~~instructors, and visiting faculty are not eligible to~~
35 ~~serve on the Committee.~~

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

8 (e) The criteria shall be available in the department or upon request from the Department
9 Chairperson. All such criteria shall also be provided to UFF upon written request.

6.5-6 Changes in Criteria for Reappointment and Promotion.

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

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

6.6-7 Reappointment and/or Promotion Procedure. The below procedure shall be followed for all reviews related to reappointment and promotions, with exceptions noted below regarding “Shortened” reviews.

(a) The University will provide notification to eligible faculty members during the semester prior to their reappointment review, and for Assistant Professor's promotion review taking place, with the exception of reviews conducted in Spring 2019. Such notification will provide the faculty members with information relevant to the applicable reappointment/promotion process including instructions, information, and deadlines.

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

(c) If a faculty member does not receive a promotion following consideration, the faculty member may not reapply for promotion until after the completion of two (2) additional

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1 academic years. This clause shall not unreasonably deny a faculty member their terminal
2 promotion consideration to Associate Professor.

- 3
- 4 (d) The candidate being considered for promotion may withdraw from consideration provided
5 that the withdrawal is made before the UEC begins its consideration of the candidate. Such
6 withdrawal shall be without prejudice and will not render the candidate ineligible for the
7 next promotional cycle.
- 8
- 9 (e) The University shall provide the Packet (as described in Section 6.8) to the PAEP for
10 review. For reviews of Associate and Assistant Professors, the PAEP shall consist of
11 faculty of a higher rank than the Candidate within the Candidate's division, or if no division
12 is present, within the Candidate's department. The Division Director, if present, or if there
13 is not a division, the Department Chair chairs the PAEP if he or she holds the appropriate
14 faculty appointment rank. If the Division Director or Department Chair does not hold the
15 appropriate rank, the Provost will appoint a chair for the PAEP. There must be a minimum
16 of three (3) qualified (appropriately ranked) individuals serving on the PAEP. If the number
17 of individuals available to serve on the PAEP is less than three (3), the Provost and
18 Candidate Chair will each select a guest faculty member of appropriate rank from another
19 unit at the University neighboring SUS institution to serve on the PAEP. The PAEP must
20 include at least one institutional member, as chosen by the Provost or designee. If the PAEP
21 includes no members from the candidate's department, the PAEP will request input from
22 the department chair before finalizing their recommendation. If the chair is the candidate
23 and no member from the chair's department is a member of the PAEP, the Provost or
24 designee shall select a member of the chair's department to provide input to the PAEP
25 before the PAEP finalizes their recommendation.

26

27 The PAEP will prepare and provide a report and recommendation to the UEC during a full
28 review, or if during the "shortened review" process, directly to the Provost.

- 29
- 30 (f) University Evaluation Committee ("UEC"). The UEC is not utilized as part of the
31 shortened review process. The UEC is formed from those holding "Full" Professor rank
32 from a nomination pool provided by the faculty assembly (or equivalent); however, if there
33 are less than five qualified individuals at the University, all such qualified individuals shall
34 be deemed in the nomination pool. Individuals that are in their terminal year of employment
35 are not eligible to serve on the UEC or PAEP. Term duration will be staggered to have a

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1 “normal” term of 3 years in length and with overlap in UEC membership so that committee
2 memory is maintained. In years where an individual is up for reappointment review, he or
3 she may not participate in the UEC. If less than three (3) individuals are eligible to staff
4 the UEC, the UEC will be chaired by the Provost with all eligible faculty serving as
5 members. When the University includes fewer than 10 individuals with rank “Full”
6 Professor, the UEC will be between three and five individuals at the discretion of the
7 administration. With 10 to 20 Professors on staff, the UEC will be between five and seven
8 individuals at the discretion of the administration, with more than twenty (20) “Full”
9 Professors, the committee will include seven members. The UEC must operate in executive
10 session and in total confidentiality.

11
12 When reviewing a “Full” Professor, and that faculty member’s unit does not have a
13 minimum of four (4) individuals with the rank of “Full” Professor, the UEC will be the
14 sole reviewing committee for that faculty member.

15
16 The UEC will prepare a report and recommendation, and provide both the PAEP (if it was
17 done) and UEC reports and recommendations to the Provost. If the Provost chairs the UEC,
18 the Provost will not make a recommendation, but will supply a candidate’s Packet, and
19 both the UEC and PAEP reports to the President for a final decision.

20
21
22 (g) Provost’s Review and Recommendation. After a careful review of the PAEP’s and UEC’s
23 reports and recommendations, the Provost shall make a positive or negative
24 recommendation as to the Candidate’s reappointment or promotion. The Provost’s
25 recommendation, if positive, is provided to the President, and if negative, the decision is
26 provided to the Candidate. Negative recommendations from the Provost are terminal, but
27 are appealable to the President. If the Provost’s final decision on reappointment and
28 promotion is negative, the Candidate may request a written justification of the decision
29 within ten (10) days of receiving the Provost’s determination. Upon such a request, the
30 Provost shall, within twenty (20) days, provide such a written justification to the Candidate.

31
32 (h) President’s Review and Authority. The President shall have the sole authority to grant a
33 Candidate’s reappointment or promotion. The granting of reappointment or promotion
34 should be based on the University’s criteria and criteria produced by the Candidate’s unit
35 or department, the reports and recommendations of the PAEP and UEC, any documents

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1 relied upon by the PAEP and UEC in creating said reports, and the recommendation of the
2 Provost.

- 3
- 4 (i) If the President's final decision on reappointment and promotion is negative, the Candidate
5 may request within ten (10) days a written justification of the decision. Upon such a
6 request, the President or representative shall, within twenty (20) days, provide such a
7 written justification to the Candidate.

8

9 6.7-8 Reappointment and/or Promotion Packet. The Reappointment and/or Promotion Review
10 Packet ("Packet"), utilized in the procedure set forth in Section 6.5 shall include, at a minimum,
11 the following:

12

13 (a) Faculty Prepared Dossier. A Candidate for reappointment or promotion prepares a dossier
14 for consideration. This dossier must include a personal statement from the Candidate,
15 elements that show the Candidate's demonstrated abilities and competencies in teaching,
16 service, and research, including but not limited to all evaluation materials from prior years
17 of employment at the University. Intentional or significant misrepresentations contained in
18 the Candidate's dossier shall serve as cause for termination. The UEC shall provide
19 guidelines and rules for the Faculty Prepared Dossier. These guidelines will be ~~reviewed~~
20 approved by the ~~faculty~~Faculty representative~~Representative~~council~~Council~~; comments
21 to be forwarded to the UEC. Changes made as appropriate, final guidelines provided to the
22 Provost for approval (if not approved, sent back to the UEC for further revision).

23

24 (b) Reference Letters. Reference letters are required for promotion reviews and may be
25 requested for "full" reviews by either the candidate or the division director (or chair if no
26 director is present). Reference letters will be requested using a template from the UEC that
27 instructs the external reviewer on the individual being evaluated, the materials supplied,
28 and any special considerations, including the University's history. This template will be
29 developed by the UEC, ~~vetted~~ approved by the Faculty Representative Council, and
30 approved by the Provost. The Candidate "nominates" up to four (4) individuals to provide
31 reference letters. The Division Director, or if the academic unit does not belong to a
32 division, Department Chair, in conjunction with the Program Area Evaluation Panel
33 ("PAEP") formally requests all external reference letters with ~~a minimum of up to~~ two of
34 these letters being from individuals not nominated by the Candidate. ~~The Candidate must~~
35 ~~sign a document acknowledging the confidentiality of the external review and that the~~

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

10
11 (c) PAEP and UEC Supplemental Information. Both the PAEP and the UEC may acquire and
12 provide supplemental materials and/or other information as they see fit. If supplemental
13 materials and/or other information is used as part of the review, the candidate will be
14 informed of the use of this information, and provided a minimum of five (5) days to respond
15 to the information.

16
17 6.9 Promotion Date. Promotions that are granted shall be effective on August 15th following
18 the decision date. An individual may use their new title effective after written notification
19 of their promotion.

20
21 6.9-10 Grievability. The University's decision to not offer reappointment or promotion to a faculty
22 member shall not be considered as disciplinary action. The decision to not offer reappointment
23 or promotion is grievable according to Article 11 - Grievance and Arbitration Procedure, as a
24 faculty member may contest the decision because of an alleged violation of a specific term of
25 the Agreement or because of an alleged violation of the employee's constitutional rights. The
26 remedy for any grievance filed under this provision, if successful, shall not include an award
27 of reappointment or promotion. Such grievances must be filed within thirty (30) days of the
28 Candidate's receipt of the promotion or reappointment decision. The PAEP and UEC reports
29 shall be available for arbitration proceedings upon request.

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