



# Northwest Florida State College

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**TITLE: EMPLOYMENT CONTRACTS FOR FULL-TIME FACULTY**

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**PURPOSE OF POLICY:**

To define the structure, initial award process, and post award processes relating to continuing contracts for full-time faculty members.

**Local Language:**

**Definition of terms:**

**Review:** annual assessment of faculty members' performance, conducted in every year before the Continuing Contract Evaluation and biannually thereafter.

**Evaluation:** the assessment of faculty members' performance conducted every five years. The first Evaluation determines whether the faculty member is recommended to the President and Board of Trustees for continuing contract.

**Continuing contract:** a contract that is renewed annually unless a compelling cause prevents renewal.

**A. Definition of continuing contract**

A continuing contract award represents a change in contract status. Most initial faculty appointments are annual contracts that may be renewed or not renewed without cause. A continuing contract is a contract that is renewed annually unless a compelling cause prevents renewal. Compelling causes that could prevent renewal of a continuing contract are discussed in section F.

The award of continuing contract status is intended to express that the President and Board of Trustees have trust and confidence in a faculty member's performance and an expectation that good performance will continue in the future. This expectation of excellence does not end with the continuing contract award. After the award, faculty members must formally demonstrate a continued commitment to the welfare of students, their own professional development, and the advancement of the college mission.

Candidates for continuing contract status are required to present quantifiable and measured evidence of effectiveness in all areas of the faculty job description. Continuing contracts are awarded to full-time faculty members who exhibit excellent performance, successfully complete annual reviews, and pass a continuing contract evaluation. The President will verify continued performance through post-award

evaluations occurring at five-year intervals after the initial award and through reviews occurring in years two and four after continuing contract is awarded and at the same intervals in subsequent cycles. For details, see section E.

The purpose of continuing contract awards is to create an environment of trust, cooperation, and collegiality between faculty members and college administration. This relationship is vital to the growth and development of the college. Honest debate and critique without fear of reprisal or negative repercussions are crucial to the continued enhancement of all aspects of the college's mission. Continuing contract also reinforces the integrity of the teaching and learning process. Faculty members may proceed with academic freedom to develop course content, present it in the classroom, and hold students to the highest standards.

## **B. Eligibility process for awarding continuing contract**

1. At the end of each academic year during the initial five-year service period\*, a review of the faculty member's performance will occur. This review is conducted by the Department Chair or Program Director and approved by the appropriate Dean.
2. Full-time faculty members in continuing contract-track appointments become eligible for consideration for a continuing contract award during their fifth year of service after successfully completing four annual reviews.\*
3. During the fifth year of service\*, after successful completion of four yearly reviews, a faculty member applies for the award of continuing contract. Upon receipt of this application, the Department Chair or Program Director will coordinate with the appropriate Dean and the Vice President of Academic Affairs (VPAA) to form a continuing contract evaluation committee.
4. If the evaluation committee concurs that the faculty member has shown excellent progress and performance in the yearly reviews and in the continuing contract evaluation, a recommendation to award continuing contract will be made to the President.
5. If the President concurs with the recommendation, he or she will recommend to the Board of Trustees that a continuing contract be awarded.
6. If the Board of Trustees concurs, the Board and President will formally notify the faculty member that the award has been made.
7. Each employee issued a continuing contract shall be entitled to continue in his or her respective full-time faculty position at the college without the necessity for annual nomination or reappointment until the individual resigns from employment, unless the employee is dismissed or returned to annual contract status as described in section F.

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\*Three years for those hired prior to July 1, 2013.

## **C. Yearly review process**

At the end of each academic year, full-time faculty members in a continuing-contract track appointment will participate in a review of their performance conducted by their Department Chair or Program Director.

A full-time faculty member's primary duties fall into five broad categories: teaching, professional development, advising students, service to the college, and community outreach. Teaching is considered the faculty member's primary responsibility at Northwest Florida State College. Faculty members are expected to devote approximately 80% of their time and energy toward teaching excellence. Professional development, advising students, service to the college, and community outreach together should occupy the remaining 20%. The ratio of each of these areas is intended to be flexible as appropriate to the discipline and will be determined upon consultation among faculty members, the Department Chair or Program Director, the Dean, and the VPAA.

At the time of the yearly review, faculty members will describe and document their activities and discuss their performance in the following areas:

1. **Quantifiable and measured effectiveness in the performance of the primary teaching responsibility.** The measurement of a faculty member's teaching performance may include demonstrated learning gains, student success rates in courses taught by the faculty member, observations made by the supervisor, student evaluations, course completion rates, continuing success in subsequent and additional courses or educational pursuits, and, where necessary and applicable, graduation and/or certification rates, job placement rates, applicable assessments from colleagues, and employer surveys

This data may be assessed in relationship to department, college and system performance metrics. If student learning outcomes and student evaluations of the faculty member are below department, college, and system norms for an extended period, the Department Chair or Program director will notify the Dean and determine the cause. If the cause is determined to be deficiencies in teaching, preparation, or behavior toward students and colleagues, this determination will be conveyed in good faith to the VPAA, who will decide what action should be taken.

2. **Continuing professional development and currency in the subject matter.** Faculty members are expected to participate in activities that advance their knowledge and skills in ways that enhance student learning. These may include research, participation in conferences and other continuing education opportunities related to the faculty member's subject area, or other relevant projects undertaken in coordination with the Department Chair or the Program Director. These activities should be documented and presented at the time of review.
3. **Service to the college.** Full-time faculty members are expected to serve on college committees and/or in activities that advance the achievement of the mission of the college. Service activities will be determined to be appropriate by the Department Chair or Program Director upon review.
4. **Student advising.** Faculty members are expected to participate in the process of advising students as they pursue their academic goals. A faculty member's experience and advice can prove invaluable to students as they chart a course for their lives.
5. **Community engagement.** Faculty members are expected to provide service to the community. Outreach activities help the college form valuable relationships with the community. These relationships can lead to many enhanced learning opportunities for students, help faculty to develop professionally, and greatly improve the public's understanding of and appreciation for all the college has to offer.

Similar reviews occur following award of continuing contract. See section E.

#### **D. Continuing contract evaluation**

After successful completion of four annual reviews, during the fifth academic year following appointment to a continuing-contract-track position, the faculty member applies for the continuing contract award. To apply, the faculty member will present a professional portfolio of materials collected for each of the previous yearly reviews conducted by the Department Chair or Program Director. Additional materials supporting the application may be required as determined by each department. Upon receipt of this application, the department chair will coordinate with the appropriate Dean and the VPAA to form a continuing contract evaluation committee. The continuing contract evaluation will proceed as follows:

1. The faculty member applies for a continuing contract award and submits required professional portfolio materials to the Department Chair or Program Director.
2. The Department Chair or Program Director notifies the Dean of the application.
3. The Dean forms a continuing contract evaluation committee (the Dean does not participate on the committee). This committee will include up to seven members:
  - a. The Department Chair or Program Director chairing the committee.
  - b. At least two full-time, continuing contract status faculty members from outside the candidate's own department.
  - c. If possible, two continuing-contract status faculty members from inside the candidate's own department for peer review.
  - d. One faculty member on annual appointment from outside the candidate's own department.
  - e. A senior staff representative.

One of the committee members will be an equity representative trained to maintain equity and fairness in all aspects of the process. If the integrity of the process is breached in any way, the equity representative shall report the nature of the breach to the Director of Human Resources immediately.

4. Members of the committee evaluate the application materials.
5. A continuing contract evaluation interview may occur with the faculty member present to respond to any questions or concerns from committee members.
6. An anonymous vote is taken. If the committee believes that the faculty member has demonstrated excellent performance and the Dean concurs, the Dean will notify the VPAA and the President that the faculty member is recommended for continuing contract award. The committee's vote is confidential and will only be revealed to the appropriate Dean. The committee and its members are not authorized to discuss their decision or their rationale for that decision with the candidate or others until a final decision regarding continuing contract status has been made by the Board of Trustees. Upon Board action, the President will notify the faculty member of the decision.

7. If the committee's vote indicates that a continuing contract should not be awarded, this result is transmitted to the Dean. The committee's vote is confidential and will only be revealed to the appropriate Dean. The committee and its members are not authorized to discuss their decision or their rationale for that decision with the candidate or others until a final decision regarding continuing contract status has been made by the Board of Trustees. The Dean will notify the VPAA and the President that the committee has declined to recommend the faculty member for continuing contract. Upon Board action, the President will notify the faculty member of the decision.
8. If the Dean does not concur with the vote, written notice will be given to the VPAA and the President of the committee's vote, and the Dean will identify his or her concerns. Upon Board action, the President will notify the faculty member of the decision.
9. If the Dean recommends the award of continuing contract status, and the VPAA and President concur, the President will recommend to the Board of Trustees that the faculty member be awarded continuing contract status.
10. In the case of a continuing contract evaluation committee vote against awarding a continuing contract, the VPAA and President may elect either to extend the faculty member's annual contract for up to two years, or not to reappoint the faculty member at the end of his or her current annual appointment. If the annual contract is extended, the faculty member will receive one opportunity to re-apply for continuing contract status. If the faculty member is unsuccessful in this second attempt, or if he or she chooses not to re-apply, the faculty member's employment will cease at the end of the extension period.
11. When the President recommends awarding continuing contract, a continuation of annual contract status, or termination, and the Board concurs, the President will officially notify the faculty member of the Board's decision in writing. The candidate for continuing contract status shall not seek to influence the deliberations of the review committee or unduly influence any of the individuals on the evaluation committee outside of the bounds of the deliberation process. The candidate's application portfolio is the proper avenue for the candidate to present his/her case. Improper contact with the committee or one of its members may result in denial of continuing contract status.

The faculty member may appeal the decision as outlined in section G.

#### **E. Post-award assessment of faculty**

After continuing contract status is awarded, faculty members will continue to participate in biannual reviews of their activities with their Department Chair or Program Director. In the post award period, the faculty member will participate in post-award reviews during year two and year four. These reviews are similar to yearly reviews; they will include all relevant activities during the two-year period and will follow the same process as yearly reviews prior to the continuing contract award.

A post-award evaluation will be conducted by the Department Chair or Program Director and the Dean during the fifth year of the cycle. If significant problems are observed during the two-year intervals, the Department Chair or Program Director may notify the Dean of these problems, and corrective action may be prescribed. If significant cause is determined at the time of a post-award evaluation or before, the faculty member may be returned to annual contract status or dismissed according to the procedures outlined in section F.

## **F. Dismissal or return to annual contract status**

Faculty on annual contracts may be dismissed without cause. The college is not obligated to provide a reason for dismissal of a faculty member on an annual contract prior to the award of continuing contract.

After continuing contract has been awarded, the VPAA may determine that dismissal is warranted in cases of documented moral turpitude, dereliction of duty, failure to meet post-award performance criteria, or institutional financial exigency. The VPAA will send a written recommendation to the President for dismissal, inclusive of the reason(s) for dismissal. The President may then consult with any relevant parties at his or her discretion. The President may then make a recommendation for termination to the Board of Trustees. If the Board of Trustees agrees that termination is warranted, the President will notify the faculty member in writing.

In situations where performance problems are less severe but still demonstrably significant, the VPAA may consider a return to annual contract status for a faculty member using the review process outlined above. The VPAA will implement a professional development plan with input from the faculty member, the Department Chair or Program Director, and the appropriate Dean. When the faculty member has completed the activities outlined in the plan, he or she applies to the VPAA to have continuing contract status reinstated by the Board of Trustees. The time between a return to annual contract status and reinstatement will not exceed two academic years. If the VPAA determines that the faculty member is unable to make effective corrections during this two-year period, the VPAA may recommend dismissal to the President.

Upon recommendation of the President, the Board may also terminate a faculty member with continuing contract status upon consolidation, reduction, or elimination of an academic program. Every effort will be made to notify a faculty member as soon as possible in this situation. This notification shall occur no later than January 30, if the termination is to occur before the fall semester begins and no later than June 30 if the termination is to occur before the spring semester begins.

## **G. Appeals**

Faculty members have the right to appeal any decision resulting in denial of continuing contract status, dismissal, or a return to annual contract status within twenty-one calendar days of being notified of the decision. The faculty member will appeal in writing to the VPAA and the President. In the case of denial of continuing contract status, an internal appeal may be made. In the case of a return to annual contract status or termination, the faculty member may choose either an internal appeal to the President or a formal administrative hearing in accordance with Florida Statutes, Chapter 120.

Internal appeals to the President will be heard by an appeal committee within twenty-one calendar days of receipt of the written appeal. The committee membership will be similar to that of an evaluation committee. An equity representative will preside as chair of the internal appeal process. The faculty member may present evidence to the appeal committee, and the VPAA and/or President may present a rebuttal. The appeal committee will deliberate in private.

The committee will convey its written opinion to the faculty member, the VPAA, and the President. The Board of Trustees will make a final determination of the status of the faculty member upon receipt of the opinion of the appeal committee. The President has the right to provide a supplemental opinion to the Board of Trustees.

In the case of a return to annual contract status or termination, faculty may request a formal administrative hearing in accordance with Chapter 120, Florida Statutes, by filing a petition with the board within twenty-one days of receipt of the recommendation of the President.

#### **H. Types of contracts and other faculty contract considerations**

Upon hiring, faculty members shall receive an annual contract. The contract shall specify whether or not the faculty member is eligible for continuing contract status subject to conditions of college policy and procedure.

1. Faculty positions filled as a result of a competitive hiring process shall be eligible for continuing contract.
2. Temporary positions shall not be eligible for continuing contract. Under the conditions described below, the President may recommend to the Board of Trustees a temporary faculty position for a semester, a year, or up to three years:
  - a. In the case of an emergency situation due to extended illness, death, or unexpected resignation where adjunct faculty members are not available or where no other full-time faculty members teach in the discipline. The temporary position will be terminated once the emergency situation is resolved.
  - b. Grant-supported, short-term programs intended to fill a temporary need.
  - c. Other short-term needs, such as completing a teach out plan for a discontinued program or degree
  - d. Other emergency or temporary situations.
3. If a temporary faculty position is needed beyond three years, a new continuing-contract-track position shall be created. If interested in this position, the employee serving in the temporary position must apply for the continuing-contract-track position in a competitive hiring process. The years in the temporary position may be counted toward the probationary five-year time period leading to a continuing contract award at the discretion of the President.

Faculty members holding continuing contract status who are appointed to administrative positions may be granted a leave of absence from their faculty positions during the time they are serving in the administration. If administrative service is discontinued by either the faculty member or the administration, with or without cause, the faculty member may return to continuing contract status and resume full-time teaching responsibilities. No loss of rank, seniority, or privilege shall result from such an appointment.

#### **I. Academic Rank**

Academic ranks exist to define a faculty member's status in the hierarchy of the profession. Academic rank specifications represent a faculty member's progression through major landmarks in his or her career. Northwest Florida State College recognizes and awards the following academic ranks:

1. **Adjunct Instructor:** A faculty member appointed to a part-time, non-continuing contract-track teaching position.

2. **Visiting Professor:** A faculty member appointed to a temporary, non-continuing contract-track appointment.
3. **Assistant Professor:** A faculty member appointed to a full-time, continuing contract-track eligible teaching position.
4. **Associate Professor:** A faculty member who has been awarded a continuing contract.
5. **Professor:** A faculty member who has been awarded a continuing contract, and who has successfully completed a post-award review.\* Faculty may not hold the rank of Professor with fewer than seven years of full-time teaching experience.

\*Faculty members hired before July 1, 2013 who have achieved the rank of Professor shall retain this rank following implementation of this policy.

**Other, special academic ranks recognized and awarded by NWFSC:**

1. Distinguished Professor: A rank given to a faculty member by the President in recognition of significant achievements.
2. Professor Emeritus: Academic rank awarded at Board discretion to faculty members who have retired holding the rank of Professor in expression of appreciation for their years of service and continuing commitment to the college mission.

**J. Timeframe of implementation of policy and procedures**

A schedule of implementation shall be produced that staggers post-award reviews and establishes the timeline for continuing contract evaluations of faculty currently appointed to continuing contract-track positions.

Generally, the timeframe of continuing contract evaluations and post-award evaluations and reviews will be based on the date a faculty member was hired.

1. For those hired before July 1, 2013 who have not yet had a continuing contract evaluation, this evaluation will occur three years from the date of initial appointment to a continuing contract-track eligible position. The continuing contract evaluation portfolio for these faculty members will only be required to include artifacts collected after July 1, 2013. Post-award reviews will occur in years two and four of each cycle.
2. For those hired after July 1, 2013, the process described above will be followed with the continuing contract evaluation occurring during the fifth year after initial appointment to a continuing contract-track position. Post-award reviews will occur in years two and four of each cycle.
3. For those who were awarded a continuing contract prior to July 1, 2013, post-award evaluations will occur at no more than five-year intervals based upon the date of initial appointment to a continuing contract-track position. Post-award reviews will occur in years two and four of each cycle. The VPAA will create a schedule of post-award evaluations using the following process:
  - a. Determine the date of initial appointment to a continuing contract-track position.



- b. Set a date five years from initial award of continuing contract for the first post-award evaluation. Subsequent evaluations would occur every five years after that. In the case of a faculty member who had completed ten years of service immediately prior to July 1, 2013, this faculty member would have a post-award evaluation in April 2018.

The VPAA reserves the right to request an evaluation of a faculty member at a date earlier than the maximum five-year interval. This may be the result of:

1. A concern regarding the ongoing performance of the faculty member.
2. A need to stagger a Department Chair or Program Director's evaluation workload because of the timing of reviews and evaluations.
3. Consideration of prior years of experience from another institution in the computation of a faculty member's total years of service.