**FSW Proposal -** **ARTICLE 10 - FACULTY CONTRACTS AND CONTINUING CONTRACT**

### Annual Contract

* + 1. Faculty members who are in their probationary period and are considered to be on a track for continuing contract will be issued a Faculty Contract Recommendation Form completed for review by the faculty member prior to March 15 each year. This form will contain in summary format the supervisor's recommendations concerning the contract/employment status, salary status, and contract period for the faculty member for the succeeding year. The faculty member will have five (5) working days to review this form, discuss its contents with his/her supervisor, sign the form, append any comments, and return it to his/her supervisor.
       1. The annual contract shall not create the expectancy of continued employment.
       2. Non-renewal of annual contract shall not entitle the faculty member to the reason(s) for non-renewal. Non-renewal of an annual contract is not subject to grievance, arbitration, or hearing. However, this shall not preclude the use of the grievance and arbitration procedure to determine whether the process and procedures were followed.

### Continuing Contract

Only full-time faculty hired on a continuing track are eligible for continuing contract. Faculty members awarded a continuing contract are entitled to continue employment at the College without annual nomination or reappointment until such time as the faculty member resigns or the faculty member’s contractual status is changed pursuant to Florida Administrative Code, State Board of Education Rule 6A-14.0411.

* + 1. **Applying for Continuing Contract** – A faculty member on track for a continuing contract may apply for continuing contract by submitting a letter of intent in the spring of the fourth year and a portfolio during the fall of the fifth year following the process outlined in the Faculty Evaluation Plan (FEP).
    2. **Eligibility** - The BOT of FSW shall consider granting of continuing contract to each faculty member who meets the following requirements:
       1. Successful completion of the New Faculty Seminar.
       2. Completion of five (5) consecutive years of proficient or better performance within a period not to exceed seven (7) years. Failure to do so will result in non-renewal.
       3. Evidence of effective teaching as indicated by Student Opinion Surveys, yearly classroom observations, and successful completion of yearly goals (e.g., in Forms 1 and 3) as documented in consecutive Supervisor Evaluations (Form 2)
       4. Fulfillment of all responsibilities of the position as described in the published job description for faculty.
       5. Submission of a continuing contract application portfolio which shall include evidence of meeting the criteria for continuing contract listed in this Article.
       6. Recommendation of the Continuing Contract Committee, the Academic Dean/Supervising Administrator, the Vice President Academic Affairs, and the College President.

### Requirements and Criteria for Appointment

* + - 1. The areas of responsibility listed in Article 9 - Faculty Evaluation shall provide the basis for describing the role of the faculty member, expectations of the faculty member’s performance, and criteria to be evaluated during the faculty member’s application for continuing contract.
      2. A faculty member’s progress in each area shall be among those factors considered in decisions related to personnel actions affecting annual appointment and the granting of continuing contract.

### Sources of Evaluative Data

* + - 1. The Initial Granting of Continuing Contract Sub-Committee (IGCC) shall use multiple sources of data to complete the portfolio evaluation.
      2. Such data shall include, at a minimum, the following items and shall be provided by the faculty member in the portfolio evaluation:
         1. Introductory reflective summary that supports the candidates granting of continuing contract;
         2. Current Curriculum Vitae;
         3. Supervisor Evaluations (Form 2) from the last four (4) consecutive years of performance at a proficient or better level;
         4. Supporting evidence of performance in teaching and learning, (to include Student Opinion Surveys (SOS) segment analysis, yearly classroom observations, and Student Success data), professional development and scholarship, community, college, and professional service;
         5. Letter of support or non-support from the Academic Dean/Supervising Administrator only (cannot include any other administrators’ letters) ;
         6. Letters of support from other fulltime faculty (this is optional with a maximum of three).
      3. Other relevant data may be considered provided the source and accuracy can be established and documented.

### Continuing Contract Review Committee and Procedure for Granting of Continuing Contract

* + - 1. **Eligibility -** Only full-time faculty hired on a continuing track are eligible for continuing contract.
      2. **Portfolio -** While multiple sources of data may be used to complete the continuing contract application, the principal document used in determining the granting of continuing contract will be the Continuing Contract Portfolio described in Section 9.4.

### Continuing Contract Review Committee

* + - * 1. The Continuing Contract Review Committee shall be a standing committee of continuing contract faculty formed through Faculty Senate.
        2. The committee membership will be determined through Faculty Senate Affairs A chair will be elected from the continuing contractreview committee. .
        3. By the second Friday in April prior to the year of consideration, the candidate must initiate the review process by sending an email to the faculty member’s Academic Dean/Supervising Administrator and the chair of the Continuing Contract Review Committee. The purpose of this email is to inform the Academic Dean/Supervising Administrator as well as the Contract Review Committee of the faculty member’s desire to apply for continuing contract.

### Contract Review Subcommittees

* 1. By the end of August, subcommittees shall be formed at the school/ division level (in the case of Academic Success and Learning Resources). CCRC members will assist with the selection and approval of the IGCC subcommittee members. The CCRC will handle and assist any department with no or minimal faculty on continuing contract to ensure objectivity. Also, the CCRC will handle the selection of the IGCC should the chair not be on continuing contract.

Sub- committees will be formed according to the following process:

* + - * 1. Department Chairs will have been notified of those intending to apply in the following academic year by the third Friday in April. At the beginning of the following year, departments with faculty members intending to apply must form an IGCC Review Sub-Committee for each applicant by end of August.
        2. By end of September, the CCRC will approve the IGCC Subcommittee or recommend changes Also, ePortfolios will be due by the IG Faculty Member.
        3. IGCC Review Sub-committees will consist of three (3) faculty members who are on continuing contract. Faculty may serve on multiple IGCC Sub-committees.
        4. During the first department meeting (during PD days) two volunteers will be chosen by the department to serve on the IGCC Sub-committee. Depending on need, relevant expertise, and the wishes of the IGCC Review Sub-committee faculty member, the sub-committee may contain persons from outside the department but within the same school. The IG faculty member will choose their selected IGCC Sub-committee member. The department chair will email the CCRC Chair the Committee Members list.
        5. Once the sub-committee is finalized and approved by the CCRC, The CCRC Chair will ensure that sub-committee members will be granted access to the respective IGCC FEP ePortfolio.
      1. By the second Friday of September, The IGCC Sub-committee shall meet to select their chair.
      2. By the second Friday of October, a letter of support or non-support shall be provided to the IG Faculty Member who will then upload to the eportfolio immediately. This letter must address teaching and instruction, scholarship and professional development, and college/community service based on the last four evaluations.
      3. By the third Friday of October, the chair will schedule the IGCC Sub-committee meeting with their CCRC Rep, who will notify HR of the meeting to publicly notice the meeting. The interview meeting shall be held by the second Friday of November. The interview shall be primarily for purposes of clarification and amplification of materials submitted via eportfolio.
      4. After the IGCC Sub-committee interview, the CCRC Rep will collect IGCC Sub-committee interview forms, all notes, and will conduct the IGCC sub-committee voting electronically by the third Friday of November. The results will then be submitted by the CCRC Rep to the CCRC chair.
      5. If an unfavorable decision, a new IGCC sub-committee will be formed for a second review.
      6. By the second week of December, the CCRC chair will forward the IGCC recommendation to the VPAA and the College President.
      7. By the second week of January, the College President shall notify the CCRC Chair, and IG Faculty member of the decision.
      8. The IG faculty may appeal the decision of the college president in writing with 15 business days. The college president will meet with the IGCC sub-committee to review the eportfolio.
      9. By the second week in February faculty will update the ePortfolio with DOD data and Form 1 and submit to the Academic Dean/Supervising Administrator.
      10. The Academic Dean/Supervising Administrator will complete Form 2 by the second Friday in March. The faculty member will upload to their ePortfolio.
    1. **Recommendation to the President -** By the last duty day of the fall semester, sub-committee reports shall be submitted to the Vice President Academic Affairs. The Vice President Academic Affairs’s recommendation is then forwarded to the President.
    2. **Notification of Decision** - By the first Friday in March, the President or his or her designee shall notify the applicant by letter (via email) of the College’s decision**.**

### Appeal Process

* + - 1. Within 15 days of the date of the letter, the applicant, if disagreeing with the President’s decision may appeal in writing to the President.
      2. Within 30 days of the date of appeal, and after requesting that the Continuing Contract Committee verifies that the process was followed and upon reviewing any optional report that said Committee might issue, the President notifies the applicant of the final decision.

### Recommendation of the President to the Board of Trustees

Once the final decision has been made, the President will make his recommendation to the Board of Trustees who will make the decision to grant the continuing contract to the faculty member.

### Evaluation after Receipt of Continuing Contract

* + 1. Faculty members on continuing contract will be evaluated every five (5) years unless the Academic Dean/Supervising Administrator feels that an off-cycle evaluation is warranted due to problems or concerns regarding the faculty member's performance.
    2. Should the necessity arise for an off-cycle evaluation, it will deal only with the problems noted by the Academic Dean/Supervising Administrator. The off-cycle evaluation will include, but is not limited to, any of the elements of evaluation deemed appropriate by the circumstances including classroom observations by the Dean/Supervising Administrator or their designee; review of Student Opinion Surveys, and interviews with appropriate parties relevant to the issue at hand.
    3. The faculty member and the Academic Dean/Supervising Administrator will construct a specific written performance improvement plan (See Form 4, Performance Improvement Plan in Appendix C) that will include notice that continuing contract may be in jeopardy.
    4. In general practice and except in cases of serious breach of faculty responsibilities or unlawful offense(s), a continuing contract faculty member will be given at least one academic year to rectify the shortfalls identified in the portfolio review process.
    5. The results of the written performance improvement plan will be reviewed by the Academic Dean/Supervising Administrator at the end of the next year’s evaluation cycle.
    6. In the event that performance meets the standards set in the performance improvement plan the faculty member shall be returned to continuing contract status and returned to an every five (5) year post continuing contract evaluation process.

### Failure to Meet Post Award Performance Criteria – Return to Annual Contract

* + 1. In general practice and except in cases of serious breach of faculty responsibilities or unlawful offense(s), a continuing contract faculty member will be given at least one year to rectify the shortfalls identified in the portfolio review process. (See Sections 9.2 and 9.4).
    2. When a faculty member fails to achieve the standards of improvement after a performance improvement plan, the faculty member shall be returned to annual contract.
    3. The President or designee shall notify the faculty member, whose contract is under consideration, in writing of the recommendation and shall afford the full-time faculty member the right to formally challenge the action in accordance with the policies and procedures of the College.
    4. If the recommendation to return to annual contract moves forward it shall be submitted in writing by the President to the Board on or before April 1.
    5. As an alternative to the hearing rights provided by College policies and procedures, the faculty member may request an administrative hearing in accordance with Chapter 120, F.S., by filing a petition with the Board within twenty-one (21) days of the receipt of the recommendation of the President.
    6. In the event that the faculty member does not request a public hearing, the Board shall proceed to take appropriate action.

### Failure to Meet Post Award Performance Criteria after Return to Annual Contract

* + 1. After return to annual contract, the faculty member and the Academic Dean/Supervising Administrator will complete Form 4, the Performance Improvement Plan, to provide a specific written plan that will include notice that failure to achieve performance standards will result in termination of employment.
    2. Upon successful completion of the Performance Improvement Plan (Form 4), as documented in Form 4, the faculty member shall be returned to continuing contract status.