

6A-14.0411 Employment Contracts for Full-Time Faculty.

(1) Each District Board of Trustees shall develop, maintain and distribute a policy governing the issuance of continuing contracts and other employment contracts for employees serving in a full-time faculty capacity as determined by the college. Such policy shall be consistent with this rule.

(2) In order to be eligible for a continuing contract, full-time faculty shall meet the following minimum requirements:

(a) Complete at least five (5) years of satisfactory service, based on the criteria set forth in subsection (3) below, in the same college, except as provided below, during a period not in excess of seven (7) years. In all cases, such service shall be continuous except for leave duly authorized and granted. The policy established by the district board of trustees may also consider satisfactory service in other institutions of higher learning for purposes of this section.

(b) Receive the recommendation of the president and approval by the board for a continuing contract based on successful performance of duties, demonstration of professional competence pursuant to policy adopted by the board in accordance with subsection (3) of this rule and the needs of the college.

(3) Each board of trustees, after receiving a recommendation from the president and ensuring that input has been received from the faculty, shall establish criteria which must be met by a full-time faculty member before a continuing contract may be awarded.

(a) Such criteria, shall include:

1. Quantifiable measured effectiveness in the performance of faculty duties;
2. Continuing professional development;
3. Currency and scope of subject matter knowledge;
4. Relevant feedback from students, faculty and employers of students;
5. Service to the department, college, and community; and,
6. Criteria determined by the board under subsection (8) of this rule.

(b) Such criteria may include:

1. Educational qualifications, efficiency, compatability, student learning outcomes, character;
2. Capacity to meet the educational needs of the community;
3. The length of time the duties and responsibility of this position are expected to be needed; and,
4. Such other criteria as shall be included by the board.

(4) Each board may establish full-time faculty positions that are not eligible for continuing contract. Faculty hired in these positions may be awarded multiple year contracts, annual contracts, or contracts of less than one (1) year. Notwithstanding any provision in Rule 6A-14.041, F.A.C., no multiple year contracts may exceed three (3) years. Each board shall adopt policies addressing such positions and contracts.

(5) 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, except as provided in subsection (7) of this rule.

(6) In order to contribute to the continual growth and development of faculty, each board shall adopt policy requiring periodic post-award performance reviews for faculty under continuing contract. Periodic reviews of continuing contract faculty shall use the criteria under subsection (3) of this rule.

(7)(a) Each district board of trustees may, upon recommendation of the president, terminate a full-time faculty employee under continuing contract, or return the employee to an annual contract, for failure to meet post-award performance criteria, or, for cause in accordance with college policies and procedures upon recommendation by the president and approval by the board. The president or designee shall notify the full-time faculty employee in writing of the recommendation and shall afford the full-time faculty employee the right to formally challenge the action in accordance with the policies and procedures of the college. As an alternative to the hearing rights provided by college policies and procedures, the employee 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 receipt of the recommendation of the president.

(b) Upon recommendation of the president, the board may terminate a full-time faculty employee under continuing contract upon consolidation, reduction, or elimination of an institution's program, or restriction of the required duties of a position by the board. The board shall determine on the basis of the criteria set forth in subsections (2) and (3) of this rule, which full-time faculty employees to retain on a continuing contract and which shall be dismissed or returned to an annual contract. The decision of the board shall not be controlled by any previous contractual relationship. In the evaluation of these factors, the decision of the board

shall be final.

(8) In addition, each district board of trustees, after receiving a recommendation from the president and ensuring that input has been received from the faculty, shall develop appropriate criteria to measure student success, which may include the following factors, as appropriate:

- (a) Demonstrated or documented learning gains;
- (b) Course completion rates;
- (c) Graduation and/or certification rates;
- (d) Continued success in subsequent and additional courses or educational pursuits;
- (e) Job placements in the appropriate field; and,
- (f) Other criteria as may be included in the policy approved by the board.

Such criteria shall be used, as appropriate, for the particular field of learning and the individual faculty member, as consideration in determining whether to grant a continuing contract pursuant to subsection (3), above. Such factors shall also be used, as relevant and appropriate to individual faculty members, in the review set forth in subsection (6), above.

(9) Any full-time faculty employee holding a continuing contract who accepts an offer of annual employment in a capacity other than that in which the continuing contract was awarded may be granted an administrative leave of absence pursuant to the college's administrative rules.

(10) In order to provide for a transition period for full-time faculty in the process of being considered for continuing contracts, each board may provide an exemption from the time requirements set forth in paragraph (2)(a) of this rule for full-time faculty being considered for an award of a continuing contract during the 2012-13, 2013-14 and the 2014-15 fiscal years. In addition, each board may provide credit for prior satisfactory years of service for purposes of determining eligibility for a continuing contract. In order to provide adequate time for boards of trustees to develop the criteria described in this Rule, the criteria set forth in subsections (3) and (6) of this rule shall apply beginning in the 2013-14 fiscal year.

Rulemaking Authority 1001.02(1), (6), 1012.83, 1012.855 FS. Law Implemented 1001.64(4), (18), 1012.83, 1012.855 FS. History—New 12-19-74, Formerly 6A-8.33, Amended 12-9-75, 2-14-77, 12-26-77, 7-16-79, Formerly 6A-14.411, Amended 7-20-04, 4-23-13.