

ARTICLE 6

FACULTY RIGHTS

6.1 – Bargaining Unit Rights

All rights, privileges and benefits enjoyed by the faculty during the term of this Agreement shall remain in effect for the duration of this Agreement.

6.2 – Academic Freedom

A faculty member, whether tenured or not, is entitled to academic freedom:

- A. A faculty member is entitled to full freedom in research and in the publication of the results, subject to adequate performance of his other academic duties.
- B. A faculty member is entitled to freedom in the classroom in discussing his subject, in devising and selecting teaching strategies and educational materials and in using them to present his subject. However, he should be careful not to introduce a controversial matter that has no relation to his subject. If the faculty member is the only full-time instructor in a particular course on a given campus, he shall have the right to select the textbook for the course he is scheduled to teach. If the course is one where two or more sections are offered on a campus and are taught by two or more full-time instructors or is part of a sequence of courses that would normally use the same text, he shall have the right to serve on a campus and/or college-wide faculty committee appointed to select such texts for courses on that campus. Where feasible, faculty members shall explore methods of college-wide standardization of textbooks used in general education and sequential courses. Custom texts may be utilized as provided in Section 8.24, provided, however, that the use of custom texts does not conflict with the efforts to standardize texts in general education and sequential courses.
- C. The faculty member is a citizen, a member of a learned profession, and an employee of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As an individual of learning and an educational employee, he should remember that the public may judge his profession and the institution by his utterances. Hence, he should endeavor at all times to be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to indicate that he is not an institutional spokesperson.

6.3 – Non-Discrimination

The Board and the Union agree to comply with all federal, state and local laws prohibiting discrimination and mutually agree that neither will discriminate against any employee or applicant for employment, on the basis of race, creed, age, national origin, religion, gender, sexual orientation, union activity, disability status, marital status or membership or non-

membership in any labor and/or professional organization. Nothing in this paragraph will require the Union to process a grievance for non-Union members.

6.4 – Involuntary Change in Status

Any discipline resulting in discharge, demotion or other involuntary change in a faculty member's status shall be made only for just cause and in the best interest of the College. A faculty member shall be entitled to due process in accordance with Article 6.5. This Section does not apply to non-renewal of annual contracts, provided that, the failure to follow contractual procedures on non-renewal is subject to Article 11, *Grievance and Arbitration*.

6.5 – Due Process

A faculty member shall have the right to procedural due process to the extent required by law when faced with a disciplinary action or discharge. The faculty member will receive written notice from his immediate supervisor or the Campus President of any unsatisfactory performance or other condition which may result in his discipline or dismissal. The written notice shall be sufficiently timely and designate the assistance provided, to aid the faculty member in correcting any demonstrable deficiencies. This Section does not apply to non-renewal of annual contracts.

6.6 – Vacancies/Transfers

A vacant or new full-time tenured faculty position will be filled by the Administration in accordance with the following guidelines:

- A. To request a transfer to a new or vacant full-time faculty position within the faculty member's discipline (*i.e.*, from one campus to another campus or center), a qualified full-time tenured faculty member shall submit a request for transfer on the Request for Transfer form, Appendix J, to both the faculty member's immediate Administrative Supervisor and the Director of Human Resources by the established deadline date for applying for the position, as printed on the "Internal Notice of Vacancy" announcement provided by the Office of Human Resources. The Internal Notice of Vacancy will be announced by e-mail and posted in the mailroom. If a vacancy announcement occurs during the Summer Term, the Internal Notice of Vacancy will also be mailed to each tenured faculty member at the home address, allowing at least ten (10) working days from the date of posting in the U.S. Mail in which to respond. The deadline date for applying for transfers whether within the same discipline, or from one discipline to another, will be February 1 for the Fall Term and October 1 for the Spring Term. The Director of Human Resources will notify the Vice President for Education and Student Development in writing regarding the request to transfer received from faculty members.
- B. The Campus President or appropriate dean of the campus or center to which the faculty member seeks a transfer will retain the sole right to select or reject any personnel interested in transfer under this Section.

- C. If the Administration determines that it is necessary to transfer a member to a new campus or center, the Administration will first request qualified volunteers. A faculty member will be considered qualified if rated “satisfactory” on the most recent evaluation.
- D. The Administration shall not involuntarily transfer a faculty member for arbitrary, capricious or punitive reasons, including a faculty member’s refusal to accept managerial responsibilities.
- E. For a new or vacant full-time faculty position that is different from the faculty member’s current discipline, a tenured faculty member requesting a transfer must meet the minimum qualifications for teaching in the new discipline and the application deadline date for applying as printed in the “Internal Notice of Vacancy” announcement.
- F. When transferring from one discipline to another where there is no change in campus or center, the dean with responsibility for the discipline being sought will retain the sole right to approve or reject the transfer request.
- G. If a faculty member requests and is granted a transfer under this Section, the faculty member will not be eligible to transfer again for three years.

6.7 – Right to Privacy

An employee has the right to privacy with regard to his personal and private life, which includes religious and political activities, unless such actions are demonstrably detrimental to the College and/or constitute grounds for disciplinary action.

6.8 – Personnel Files

Following a request to the Office of Human Resources, a faculty member shall have the right to examine the contents of his/her official personnel file at the District Office. Any records that relate to a faculty member’s performance or evaluation will be filed in the faculty member’s Limited Access File in the Office of Human Resources. The faculty member’s Limited Access File may be released by the records custodian with written authorization from the faculty member of the College President, or upon order of a court of competent jurisdiction. Written authorization to review a faculty member’s personnel files will be filed in the personnel file. A faculty member may review his/her “unofficial” personnel file at the Campus, if one is maintained.

The faculty member shall have the right to receive a copy of any document filed in his/her District/Campus personnel files, which shall include all disciplinary documentation. No derogatory material or written reprimand shall be placed in a faculty member’s file without his/her knowledge. If the faculty member disagrees with the content of any material included in his/her personnel files, the faculty member shall have the right to file a formal written response which shall be attached to the original document. A written reprimand will be removed from the faculty member’s file after three (3) years, upon written request submitted to the faculty member’s immediate Administrative Supervisor. The Administration is responsible for

maintaining complete and current files of documents originating with the Administration. The faculty member is responsible for submitting documents originating with the faculty member.

6.9 – Royalties, Copyrights and Patents

In accordance with the laws of the State of Florida, a faculty member shall have the right to ownership of all work products that relate to educational endeavors, if such products are the result of independent labors and are not produced as a result of a specific agreement with the College. Such endeavors may include any patent rights, copyrights and royalties, as well as associated profits derived there from.

When products are the result of a specific agreement with the College, the Board and a faculty member may enter into an agreement to establish the percentage of ownership of trademarks, copyrights or patents for work products that relate to educational endeavors in accordance with the laws of the State of Florida.

6.10 – Legal Assistance

Legal assistance shall be provided to a faculty member when the College President or his designee determines, after investigation, that action taken by the faculty member was justifiable and occurred in the course of his employment. The specifics of such assistance will be determined by the Board.

6.11 – Outside Employment

- A. A faculty member's primary employment responsibility is to the College. The faculty member must report outside or significant self-employment to the faculty member's immediate Administrative Supervisor on the College-provided form at the beginning of each academic year or upon commencing outside or significant self-employment. Any outside and significant self-employment must not affect the family member's scheduled assignments or scheduled responsibilities at the College. The form is attached as Appendix K.
- B. No faculty member shall claim to be an official College representative in connection with any outside employment, including self-employment or business interests. Faculty members who have outside employment or self-employment shall not conduct such business during duty hours, nor use any College equipment or supplies for such purposes.

6.12 – Office Security

The Administration shall implement procedures and regulations to safeguard the security of each employee's office and files. The faculty member shall have sole access to his desk and office files, but the College locksmith may maintain duplicate keys for replacement and emergency purposes. However, if the faculty member's office is entered for emergency purposes, the faculty member will be notified.

6.13 – Workers’ Compensation

The Administration shall adhere to the laws of the State of Florida regarding Workers’ Compensation claims by employees arising out of and in the course of employment at the College.

6.14 – Access to Offices

Faculty members will have access to their offices on days of normal campus operations on the following schedule:

Monday – Thursday	6:00 a.m. to Midnight.
Friday	6:00 a.m. to 7:00 p.m. or until two hours after campus closing, whichever is later.
Saturday and Sunday	If campus is open, access will be permitted two hours prior to campus opening and two hours after campus closing.

Access other than during the hours listed above must be requested through the Dean. If Dean approval is granted, the faculty member will make arrangements with Security for admittance and departure. The Administration shall have the absolute right to determine whether heat or air-conditioning will be provided.

6.15 – Consultant Fees

A faculty member shall have the right to any consultant fees earned which are not in violation of the laws of the State of Florida.

6.16 – Tenure (Continuing Contract)

- A. Tenure (continuing contract) shall be awarded for service as a full-time instructor, librarian or counselor, provided the conditions set forth in this Article (Article 6.16) have been met. Tenure is defined as a promise of continued employment in the absence of certain conditions, such as just cause for dismissal or return to annual contract status, retirement or RIF (Article 10).
- B. The following classifications shall be non-tenured appointments: part-time (adjunct) faculty, full-time temporary faculty, grant-funded faculty, and visiting scholars with teaching duties. All other classifications of full-time faculty positions will be considered as tenure earning appointments. For temporary full-time and grant-funded full-time faculty, all service in such positions will be subject to Article 8.1, D. or E. in the event the faculty member is selected through the College screening committee for a regular full-time appointment.

- C. The Administration will ensure that each eligible faculty member's personnel file is current and complete with respect to those documents that originate with the Administration. The faculty member will be responsible for timely presentation of documents originating with the faculty member. The faculty member should begin assembling his or her tenure portfolio upon hire.
- D. To be eligible for tenure, the following requirements must be met:
 - 1. The full-time faculty member must complete three (3) full successive years of service calculated from the beginning of the Fall Term, with such service being continuous except for leave being duly authorized and granted pursuant to Article 12 of this Agreement. Part-year employment before the Fall Term begins does not count toward the three (3)-year service calculation. One year of service shall include full-time service exclusive of holidays and authorized leave, with the exception being sick leave, vacation leave and duty leave pursuant to Article 12 of this Agreement.
 - 2. The faculty member will be considered for tenure during the Spring Term of his third year of service to the College, based upon the successful performance of duties and the demonstration of professional competence as documented on the official Instructional Faculty Evaluation Performance Review Form, Librarian and Counselor Evaluation Performance Review Form and End-of-Term Verification Form.
 - 3. The faculty member must be reappointed by the Campus President for the fourth year without reservations or specifics as provided by the rules of the State Board of Education.
 - 4. The faculty member must be recommended to the College President for tenure by a campus tenure committee and a College-wide tenure committee.
 - 5. The faculty member must have 120 faculty development hours to be considered for tenure. The hours will be earned at approximately 45 hours per year.
 - 6. To be granted tenure, the faculty member must be recommended for a continuing contract by the College President.
- E. Responsibilities of Tenure Candidate
 - 1. The tenure candidate must maintain a tenure portfolio to be submitted as part of the tenure process. The portfolio must contain regular professional self-assessment information, including data about student success, retention, and placement as may be modified and redefined from time to time by the Student Success, Retention and Placement Committee. The

portfolio must also contain documented evidence of significant continuing contributions and/or participation in the following areas:

- a. Participation in College or educational committees;
 - b. Participation in Community groups or projects;
 - c. Contributions to the profession (such as conference presentations, professional organization membership and activity, grant writing);
 - d. Participation in professional development activities.
2. By the end of the Fall Term of the tenure candidate's third year, the tenure candidate must submit the Application for Tenure and Authorization of Tenure Committee to Review Limited Access File memo (Appendix L) to the immediate Supervising Dean, the Campus President, and the Campus and College-wide Tenure Committee Chairpersons.
 3. By February 1 of the Spring Term of the third year, the faculty member must submit his tenure portfolio to the immediate Supervising Dean and Campus President.

F. Responsibilities of Supervising Dean

The appropriate Supervising Dean will verify time of service requirements for tenure, will notify the Tenure Committee in writing that he/she has met the minimum time requirements, and will work with the tenure candidate to ensure development of a tenure portfolio. The Dean will ensure that copies of student evaluations of the candidate are kept on file at the Campus for review by the tenure committees and College President. The Dean will also ensure that Administrative Evaluations and End-of-Term Verifications are submitted to the Office of Human Resources to be placed in the candidate's appropriate personnel file.

G. Responsibilities of the Campus President

The Campus President will appoint a Campus Tenure Committee of five tenured faculty members who will convene to review campus tenure candidates' eligibility for continuing contract. By March 15 of the third year, upon consideration of campus budget and staffing needs and upon review of the Dean's and the Campus Tenure Committee's recommendations and the candidate's tenure portfolio and limited access file, the Campus President will notify the candidate in writing of the intention to renew or not to renew the candidate's annual contract for a fourth year.

After notification by the Vice President for Education and Student Development as specified in Article 6.16.H. and prior to the tenure list being presented to the

Board, the Campus President or his designee will provide written notice to the faculty member that his name is or is not being submitted to the Board for tenure.

H. Tenure Committees

1. The Campus Tenure Committee shall be appointed by the Campus President to review the applications and to submit a recommendation to the Campus President. The Campus Tenure Committee may review copies of the administrative evaluations, student evaluations and End-of-Term Verifications, as well as the faculty member's tenure portfolio. Upon review, the Campus Tenure Committee will make a recommendation to the Campus President prior to March 1 to renew or not to renew the candidate's annual contract for a fourth year. If the Committee and the Campus President recommend an annual contract for a fourth year, then the chairperson of the Campus Tenure Committee will prepare a letter to the College-wide Tenure Committee recommending the candidate for a continuing contract.

2. The College-wide Tenure Committee shall be appointed by the College President to review the portfolios, interview the candidates and to submit a recommendation. The Committee will be composed of seven (7) or more tenured faculty members, representing both AA and AS/AAS, the discipline(s) or area(s) of the tenure candidate(s), and diversity in terms of gender and ethnicity. Members of the College-wide Tenure Committee may serve for up to three (3) years. The Tenure Committee will review each candidate's file with the faculty member's signed authorization, and consider all documentation included for tenure recommendation. A quorum must be present for the Committee to take action. If there are too many tenure candidates for a single College-wide Tenure Committee to handle, a second committee maybe created, following the procedure under this Section.

The College-wide Tenure Committee(s) will first review the candidate's professional contributions to the College in terms of teaching, evidence of student success and student retention, committee work, student development or activities, development and promotion of College programs, curricular activities, etc. In doing so, the Committee will consider student and administrative evaluations, the candidate's portfolio, community groups and/or projects, membership and activities in professional organizations, and professional publications. Priority will be given to the consideration first of the candidate's commitment to the College, and next to the community and professional projects. The

College-wide Tenure Committee will interview candidates after reviewing their files and portfolios.

The College-wide Tenure Committee will communicate its decision to recommend or not recommend the candidate for a continuing contract to the Vice President of Educational and Student Development.

I. Responsibility of the Vice President for Education and Student Development

The Vice President for Education and Student Development will review the recommendation of the College-wide Tenure Committee and either transmit it to the College President or return it to the College-wide Tenure Committee with written instructions to provide additional details for further consideration or clarification. If candidates have not received a recommendation for continuing contract, the Vice President will provide written notification to the Campus President.

J. Responsibilities of the College President and Board of Trustees

The College President will recommend candidates for continuing contract to the Board by the June Board meeting (or the next regular Board meeting if none is held in June) based upon the candidate's successful performance of duties and the demonstration of professional competence. To be considered for tenure recommendation by the President, the faculty member must be recommended for tenure by the Campus and College-wide tenure committees.

If approved by the Board, the continuing contract shall be granted at the beginning of the annual College contractual period after three (3)-year service requirements are completed.

The College President will inform the faculty member in writing of the Board's action.

K. Regardless of the stated term or other provisions of any appointment, written notice that an annual contract appointment will not be renewed will be given to the faculty member by March 15 in advance of the expiration of the appointment. The non-renewal of an annual contract shall not entitle the person to reasons for non-renewal or to a hearing (*i.e.*, DOAH or arbitration).

L. Any faculty member who receives a continuing contract shall be entitled to continue in a position at the College at the Board-approved salary without needing

an annual reappointment by the Board, until the faculty member resigns or his contractual status changes as outlined in this Agreement.

M. Prior to tenure, the non-tenure faculty member shall have the same academic freedom that tenured faculty members have.

N. In accordance with the rules of the State Department of Education, the Board shall have the right to dismiss a faculty member under a continuing contract or return the faculty member to an annual contract upon recommendation by the President and approval by the Board.

6.17 – Professional Development and Rank

A. Continuing contributions to the College and participation in College activities shall be recognized through the awarding of professional rank in accordance with all the following criteria:

1. Minimum Qualifications

INSTRUCTOR	ASSISTANT PROFESSOR	ASSOCIATE PROFESSOR	PROFESSOR
	Doctorate with less than 5 years faculty experience.	Doctorate with 5 to 10 years faculty experience, 3 years or more of which must be faculty service at HCC	Doctorate with 10 or more years faculty experience, 5 years or more of which must be faculty service at HCC
Masters + 30 with less than 5 years faculty experience	Masters + 30 with 5 to 10 years faculty experience, 5 years or more of which must be faculty service at HCC	Masters + 30 with 10 to 15 years faculty experience, 10 years or more of which must be faculty service at HCC	Masters + 30 with 15 or more years faculty experience, 10 years or more of which must be faculty service at HCC
Masters with less than 10 years faculty experience	Masters with 10 to 20 years faculty experience, 5 years or more of which must be faculty service at HCC	Masters with 20 or more years faculty experience, 10 years or more of which must be faculty service at HCC	
Bachelors, or less, with less than 15 years faculty experience	Bachelors with 15 or more years faculty experience, 10 years or more of which must be faculty service at HCC		

2. Evaluation – The faculty member must demonstrate consistent satisfactory performance of duties as reflected in his evaluations for the three years immediately prior to applying for professional rank promotion, except for a faculty member with a doctorate who will be assigned to the Assistant Professor rank.
 3. Contributions and/or Participation – The faculty member must present documented evidence of significant continuing contribution and/or participation in at least three (3) of the following areas, one of which must be professional development activities (d) below:
 - a. Participation in College or educational committees;
 - b. Participation in community groups or projects;
 - c. Contributions to the profession (such as conference presentations, professional publications, professional organization memberships and activities, grant writing);
 - d. Participation in professional development activities.
 4. Peer Recommendation – The faculty member must be recommended by two peer members (who may be inter-disciplinary).
 5. College President’s Approval – The faculty member’s promotion must be approved by the College President.
- B. The faculty member who satisfies the criteria set forth in A.1 through 4 above may apply for academic rank promotion on the Request for Advancement in Professional Rank, Appendix I, available from the Director of Human Resources at the beginning of the term after meeting the minimum qualifications of A.1 above.
- C. The responsibility for meeting these criteria rests solely with the individual faculty member.
- D. No College funds will be specifically allocated to support professional rank; however, activities which qualify for funding under other College programs (tuition fee waiver, sabbatical, enhancement of professional skills, etc.) may be used for credit, provided advance approval is secured.
- E. A committee composed of four (4) tenured faculty members and chaired by the Vice President for Education and Student Development will review the applications for professional rank and make recommendations to the College President.

6.18 – Selection of New Faculty

Each applicant for a regular full-time faculty position will be required to follow the Board of Trustees approved hiring procedures, which include an evaluation by an appropriately constituted screening committee as set forth in this Section.

Faculty input into the selection of new faculty will be advisory only. The Administration will form an all-faculty screening committee whose majority composition is full-time tenured faculty from the discipline or area in which a faculty position is being filled. In order to further the College's goal to have a workplace that is reflective of the community, committee composition will be made as diverse as is reasonably possible, provided the majority, where possible, are from the discipline and have satisfactory evaluations. If faculty members outside the discipline are necessary for diversity, faculty members within the discipline shall make recommendations for committee appointments from a list of available faculty provided by the Director of Human Resources. Full time temporary, whether grant-funded or not, shall not serve on a screening committee, unless they themselves were hired through the screening process. When sufficiently diverse faculty members to serve on a screening committee for the selection of new faculty are available, they should have the following credentials in the priority indicated:

- A. First Priority
 - 1. For an instructional faculty position, the Administration will select faculty members to serve on the screening committee from the discipline where the instructional faculty position is being filled; or
 - 2. For a library faculty position, the Administration will select faculty members to serve on the screening committee from the library faculty; or
 - 3. For a counseling faculty position, the Administration will select faculty members to serve on the screening committee from the counseling faculty.
- B. Second Priority – Tenured faculty shall have priority over non-tenured faculty for an assignment to a screening committee to select new faculty.

If screening committee meetings are to be held during the summer, faculty members in the discipline will be mailed notices at home asking for volunteers.

The committee will present its recommendations in alphabetical order to the Campus President.

The committee will promptly be notified in writing when a decision is made to recommend an appointment to the Board.

- C. As an alternative to the screening committee set forth in paragraphs A and B above, faculty applicants may also be screened by the Faculty Recruiting Team. However, the Faculty Recruiting Team will not be used to circumvent the screening committee process when hiring locally. This does not preclude participation in local job fairs. The Faculty Recruiting Team will be made up of 20 faculty members. Membership on the Faculty Recruiting Team will be recommended by FUSA. The College agrees that at least ten (10) members of the Faculty Recruiting Team will be selected from those recommended by FUSA.

1. Members of the Faculty Recruiting Team will be appointed by the College for a period of two (2) years; provided that in the initial group of appointments, ten of the 20 appointees will be for a period of three (3) years. Thereafter, FUSA will recommend ten (10) faculty members each year for appointment. Of that ten, a minimum of five (5) will be selected to serve on the Faculty Recruiting Team. The faculty members' two most recent Performance Evaluations must be "Satisfactory" prior to being recommended.
2. In making its recommendation to the College, FUSA will make every reasonable effort to ensure ethnic, gender, campus and discipline diversity. The College, in selecting members for the Faculty Recruiting Team, will make every reasonable effort to ensure that the appointments reflect ethnic, gender and discipline diversity.
3. Up to five (5) members of the Faculty Recruiting Team will be selected by the Administration to accompany members of the Administration on recruiting trips, when such trips are scheduled during the course of the year. The expenses of faculty members traveling on the Faculty Recruiting Team will be reimbursed as provided by State law.
4. The Faculty Recruiting Team would serve as the screening committee. Faculty members on the Faculty Recruiting Team will serve in an advisory capacity to the members of the Administration on the recruiting trip. The College, when on a recruiting trip, attending a job fair, or other recruiting opportunity with a Faculty Recruiting Team, after receiving a recommendation from the representative of the Faculty Recruiting Team, can extend an offer to a prospective faculty member during or immediately following the interview process.
5. Members of the Faculty Recruiting Team will be trained in interviewing techniques by the College.
6. While serving as a member of the Faculty Recruiting Team, the faculty member will have the right to refuse to serve on the Campus Hiring Committee.
7. While on a recruiting trip, attending a job fair, or otherwise engaging in recruiting responsibilities for the College away from the College, faculty members assigned to the specific recruiting trip will be relieved from class time. It will be the responsibility of the College to provide coverage for the class(es) missed.
8. The College will select no more than five (5) faculty members to attend recruiting trips, job fairs, or other recruiting opportunities from members of the Faculty Recruiting Team. In making the selection, the College will attempt to ensure ethnic and gender diversity and will also attempt to have one or more representatives of the discipline, if a targeted discipline is to be interviewed for faculty vacancies.

6.19 – Access to College Mail

The College agrees to make its internal mail service available to each faculty member. Each faculty member will be assigned a mailbox at his home campus and will have access to his mail through mail service personnel and/or a keyed box during reasonable operating hours of the College.

6.20 – Enhancement of Professional Skills

A full-time faculty member successfully completing university courses will be awarded an academic stipend of \$150.00 per semester hour for undergraduate courses and \$200.00 per semester hour for graduate courses, not to exceed six (6) semester hours per academic term. In order to qualify for this stipend, the faculty member must have completed course work approved by the Office of the Vice President for Education and Student Development and must have earned a grade of S or C or better in undergraduate level courses or S or B or better in graduate level courses. Course work should be designed to enhance professional skills and/or teaching abilities.

A faculty member may also attend approved seminars or workshops that are required for certification within the faculty member's discipline or are within an area where the College desires additional certification/training. The faculty member will be advised of the amount of approved reimbursement prior to attending; unless prior approval of the amount is obtained, no reimbursement will be made. The faculty member must provide verification of seminar/workshop attendance to qualify for reimbursement. The reimbursement may, at the College's option, come from tuition reimbursement or FSPD.

The cost of approved applications may not exceed expenditure by the College of \$30,000 per academic year. No more than 60 percent of the total allocation may be awarded during the Fall Term. A faculty member shall submit an application to the Office of the Vice President for Education and Student Development. The application must be received at least fifteen (15) working days prior to the beginning of the term in which he will be registered.

Applications submitted by faculty working to meet the minimum certification requirements made necessary by changes effected by the relevant accrediting agency(ies) will have priority over all other applications.

Applications submitted by tenured faculty members seeking higher degrees will be given second priority.

Applications submitted by tenured faculty members seeking to enhance or extend current skills will be given third priority.

Applications submitted by non-tenured faculty members seeking higher degrees will have fourth priority.

Applications submitted by non-tenured faculty seeking to enhance or extend current skills will be given last priority.

Monies available under Section 6.17 will not be used for faculty development hours under Section 6.16.

When circumstances force a faculty member to change an approved course, he may adjust his application by submitting a new course for approval by the Vice President for Education and Student Development.

This provision is not applicable to a faculty member on an approved Sabbatical Leave of Absence from the College.

6.21 – Committees

- A. The College will maintain the following Standing Committees consisting of representatives from the Administration, who may be Administrators or staff members, and the faculty, as appropriate, to review and/or prepare recommendations for the College President or designee. Administrators and staff members will not be voting members of the Cluster and Academic Affairs Committees.

Academic Affairs

Academic Standards

Calendar

Cluster

Faculty Development

Instructional Technology

Insurance

Professional Rank

Sabbatical Leave

Student Success, Retention and Placement

Tenure

- B. All members of the Academic Affairs Committee will be faculty, one member plus one alternate recommended by each Cluster. Non-tenured faculty members will be recommended by the Cluster if there are not sufficient tenured faculty members available and willing to serve. The chair of this committee will be a tenured instructional faculty member. The chair will be granted 30 load point release time from instructional duties for each major academic term. If the chair remains equally active during the Summer I and II Terms, the chair will receive 30 load points, which may be release time, for the Summer Term.
- C. The President of FUSA or designee shall timely recommend to and consult with the College over the appointment of faculty members to the committees listed in paragraph A above, other than the Academic Affairs Committee. The College will make the final decision on members of the Standing Committees.

6.22 – Union Representation

A faculty member who has the expectation that disciplinary action may result from a meeting with an administrator has the right to Union representation during the meeting.

6.23 – Retired Faculty Members

A retired faculty member in good standing may have privileges to use the College's facilities (wellness programs and equipment) and library facilities (access to materials and electronic resources), all subject to and consistent with the policies applicable to regular, full-time faculty members.

6.24 – Minimum Credentials

To be in compliance with the published requirements of the Southern Association of Colleges and Schools (SACS) and other accrediting agencies (SACS hereafter), all instructional faculty members must satisfy the minimum credentials requirements published by these agencies. Nothing in this contract shall preclude the College from requiring greater credentials than the minimum required by SACS for instructional faculty members hired to teach classes for the first time at the College on or after August 1, 2004.

Before assigning faculty to a teaching discipline and periodically during the accreditation cycle, the director for that teaching discipline will review/complete the Faculty Transcript Evaluation Form for the faculty member and determine whether the faculty member is qualified for that assignment according to the then-current SACS criteria.

If the director determines from the transcripts that a faculty member does not satisfy the SACS criteria, the director and the faculty member will cooperate in a joint effort to document that the faculty member has outstanding professional experience and demonstrated contributions to the teaching discipline which constitute an "exceptional case" in lieu of formal academic preparation as provided for in the SACS criteria.

The Vice President for Education and Student Development will review the determination of the director and/or documented "exceptional case." If (s)he determines that the faculty member does not satisfy the minimum SACS transcript requirements or does not constitute an "exceptional case," the faculty member must immediately begin coming into compliance at the rate of one graduate level course per major term (or more at the faculty member's option). If it becomes necessary, the Administration will demonstrate to SACS that this transition plan is consistent with SACS criteria. The faculty member shall periodically report his/her progress.

If the Vice President for Education and Student Development determines upon review, or is notified by SACS, that the faculty member lacks appropriate credentials, or if the faculty member opts to return to a discipline in which (s)he does satisfy SACS requirements, the member shall, as soon as practical, be reassigned to that discipline.

A faculty member coming into compliance will be given top priority in the application process for tuition reimbursement under Article 6.20 – *Enhancement of Professional Skills*.