

## POST-TENURE FACULTY REVIEW PROCEDURES

1. The University agrees that it will not modify any of the provisions set forth below without engaging in collective bargaining.
2. The University shall provide to the UFF president a copy of (a) the Provost's annual report to the President and Board of Trustees on the outcomes of the comprehensive post-tenure review process at each stage of the review (i.e., the overall ratings from the chair, dean, and provost for each post-tenure review file); (b) the audit reports generated pursuant to the Post-Tenure Review Policy; and (c) records for each faculty member who received compensation.
3. Should any of these regulations or statutes be found to be invalid or unenforceable by the final decision of a tribunal of competent jurisdiction or are rendered invalid by reason of subsequently enacted legislation or regulation, the University agrees to return to the Sustained Performance Evaluation procedures described in the 2021-2024 Collective Bargaining Agreement.
4. This policy recognizes that tenure is a vital practice of academic freedom, a freedom affirmed in Article 5 of our collective bargaining agreement. Nothing in this policy, the criteria for evaluation, or the procedures therein supersedes faculty's collective right of academic freedom. This freedom is achieved through meaningful shared governance in which the faculty, UFF, and the University have shared responsibilities to enact and protect.

### Purpose

This document establishes the process by which each tenured faculty member will undergo a comprehensive post-tenure review in compliance with Florida Statutes Section 1001.706(6)(b), the Florida Board of Governors (BOG) Regulation 10.003 and FIU Regulation 2508.

Post-tenure review shall only include review of:

1. The faculty member's University-designated dossier of accomplishments and productivity relative to assignments in teaching, research, service, and where relevant, clinical and admin assignments as defined below.
2. The last four completed and the fifth year in progress performance reviews by the department chair (or the individual responsible for conducting the annual evaluation)
3. The faculty member's disciplinary file (i.e., formal university disciplinary actions), where applicable, covering the past four to five (4 complete, 5<sup>th</sup> in progress) years.
4. Materials may only include those performance issues or faculty conduct that were formally documented during the review period and to which the faculty member had an opportunity to respond and/or to have their complaint complete the NIRD process.

Collectively, these four items together are referred to as "the post-tenure review file."

## **Disclosure of Materials**

Any materials to be used in the post-tenure review process not submitted by the faculty member in their dossier shall be shared with the faculty member, who may attach a written response within five (5) calendar days of being notified in conjunction with the chair's review.

## **Timing**

1. If the faculty member received tenure and/or was promoted in 2019, they would be included in this year's cohort (Year 1 (AY 2019-2020), Year 2 (AY 2020-2021), Year 3 (AY 2021-2022) Year 4 (AY 2022-2023), Year 5 (2023-2024). However, if the faculty underwent Sustained Performance Review in AY 2020-2021, they would be excluded from this first cohort and thus eligible for post-tenure review beginning in Fall 2025.
2. For faculty hired with tenure (a.k.a. TACOE), the hire date constitutes the date of the last promotion, e.g. if the faculty was hired in Spring, Summer or Fall of 2019, they would be included in this first cohort.
3. If a faculty member is being evaluated for promotion to Professor during the five-year performance period, their successful promotion date replaces the post-tenure review date until the beginning of the fifth year after promotion.
4. In 2023-2024, a randomized cohort of twenty percent (20%) of tenured faculty will be evaluated in addition to faculty who were tenured, promoted or appointed with tenure in 2019. Tenured faculty who underwent a comprehensive review in 2018 will be excluded from this initial randomized cohort.
5. This process repeats each year for five years until all remaining tenured faculty have gone through the process, after which every tenured faculty will have a set review date.
6. The cohorts, beginning with those selected in 2023-2024, will be selected randomly (according to the procedure laid out in the Standard Operating Procedures for Faculty Selection for Post-Tenure Review document) except for the final cohort.
7. Beginning in Fall '28, the post-tenure review for all faculty will be determined based upon their prior review or hire date cycle.

## **Eligibility & Exclusions**

1. All tenured faculty are eligible for the post-tenure review except tenured faculty in administrative roles, such as department chairs or directors who are the supervisor of record for other faculty.

2. Tenured faculty in administrative roles (i.e., chairs, directors or higher) shall be reviewed annually by their supervisors. Upon returning to a faculty role, they shall undergo post-tenure review in the fifth year following a return to a full-time faculty appointment.
3. Faculty who are eligible but have an approved leave of absence during the review period may request a post-tenure review clock adjustment. Such adjustments would not ordinarily be approved beyond one (1) year.
4. Extensions of the five-year timeline may be granted for extenuating, unforeseen circumstances when requested by the faculty member in writing. Extensions may be granted by the Provost or their designee. All requests for extensions must be made in writing within ten (10) calendar days of being notified of selection for post-tenure review. A post-tenure clock adjustment would not ordinarily be extended more than a year.

#### Temporary Exclusions

- a. 2018 & 2021 Sustained Performance Evaluations (current review cycle only)
- b. Promotions since current Fall minus 3 years, i.e., Fall 2020
- c. Current year promotion applications
- d. Current year out-of-unit administrative appointments
- e. Prior out-of-unit administrative appointments who stepped down effective Fall 2020 or after
  - i. Each administrative appointment stepdown has a different PTR clock start date which we will need to capture moving forward
  - ii. Faculty who during the 4-5 year lookback period served in any of the defined administrative appointments for a minimum of 4 years will be excluded
  - iii. Faculty who during the 4-5 year lookback period served in any of the defined administrative appointments for less than 4 years will be included
- f. Sabbatical or professional development leaves
  - i. For leaves from 2019-2020 to 2022-2023, restart the clock upon return
  - ii. For leaves in 2023-2024, cycle will be extended for one year
- g. All other leaves
  - i. Current - determine duration if we have expected return date and exclude any > 16 weeks and defer review by one year
  - ii. Previous – determine duration and exclude any > 16 weeks and defer review by 1 year

#### **Process Timeline**

1. In the Spring Semester of each year, the schedule and list of eligible faculty will be communicated to deans, chairs, and the faculty cohort for that year as well as the president of UFF (first year excluded).
2. The faculty will compile and submit the dossier.

3. The Chair (or faculty's supervisor) will review the dossier, add to the file (where applicable) relevant materials described above, and provide recommendations to the Dean.
4. The Dean will review the dossier, confirm any changes with the Chair regarding their prior recommendation and provide recommendations to the Provost.
5. The Provost will review the dossier, and notify the faculty member, the faculty member's department chair, and the appropriate college dean of the outcome.

### **Review Requirements**

2. 1. Tenured faculty are expected to perform satisfactorily at teaching; research, scholarship, or creative work; service; and other assigned responsibilities (e.g., patient care, extension, administration, and the like).  
Percent effort in these assignments may vary as a career evolves. A decrease in effort and thus, expectation in one category, should be balanced with a concomitant increase in another category.
3. Chairs should compile faculty's annual assignments and annual evaluation during the review period and include a table summarizing these assessments.

The table records: (1) the faculty member's load percentages in each of the areas of their assignments (e.g. 50% teaching, 40% research, and 10% service), (2) the faculty member's ratings in each of the three areas of assignment (teaching, research, and service) for each of the four previous years, and (3) the faculty member's overall rating for each of the previous four years. The table also includes the annual assignment for the fifth year during which the review is being conducted. The annual total should always equal 100%, including any indication of research leave, except in cases of reduced FTE or non-research leave. In those cases, the annual total may be less than 100%. If the candidate challenged any of the annual evaluations, a note with the candidate's response and the administration's resolution should be included in the chart and on Panther180.

See the [dossier](#) for more details.

4. The comprehensive post-tenure review shall include consideration of the level of accomplishment and productivity relative to the faculty member's assigned duties in research, teaching, clinical, administrative duties and service.
5. Criteria for rating faculty performance shall be defined by each College in alignment with university standards. The process for determining criteria for rating faculty shall be led by the Dean who will work with department chairs and faculty to create unit- and/or disciplinary specific rubrics which must be approved by the Provost's office. The provost will invite 1 member of UFF and 1 member of the faculty senate to participate in this review process in an advisory capacity.

6. Unit and/or disciplinary specific clarifications shall not supersede college clarifications or university standards. The Criteria should clearly describe performance expectations for tenured faculty as it relates to their annual assignment.
7. These unit-specific criteria as articulated in the rubric shall:
  - a. take into consideration the unit's mission;
  - b. be adaptable to various assigned duties, so that unit faculty have an equitable opportunity to meet and exceed expectations;
  - c. be detailed enough that a reasonable faculty member should not be uncertain or confused about what performance or accomplishment is sufficient in teaching, research/scholarship/creative activity, clinical, service, and other assignments to earn each performance evaluation rating. The clarifications shall identify for each assignment area some representative examples of the achievements or performance characteristics that would earn the performance evaluation rating of "exceeds expectations" and "meets expectations"; and
  - d. directly link to the department/unit's annual assignments, the annual evaluation criteria and the criteria used for rating faculty performance in post-tenure review.

## **Review Procedures**

### **Faculty Member's Responsibilities**

1. The faculty member shall complete a University-designated dossier highlighting accomplishments and demonstrating performance relative to assigned duties.
2. Except when agreed to otherwise by the University and UFF-FIU, or by mutual agreement between the faculty member and their chair, the faculty member shall upload the dossier to Panther 180 by the published due date. Faculty failing to complete the dossier will be reviewed based solely on the contents in their Panther 180 file at the commencement of the review process.
3. Faculty may elect to have their department's personnel committee review their dossier (excluding their disciplinary file) and provide a letter to be included in the file. Faculty should indicate to their department chair or supervisor whether they would like this review to take place within thirty (30) calendar days of being notified they will be going through the tenure-review process that year. The department letter will be uploaded by the Chair.
4. The faculty member may upload a response to Panther 180 within five (5) calendar days during each phase of the post-tenure review process (i.e., Chair's review and Dean's review).

## 1. **Chair's Responsibilities**

The Chair shall add to the dossier the following:

- a) An encrypted copy of any documents placed in the faculty's disciplinary file covering the last four (4) years. For the first implementation year, an encrypted copy of any documents placed in the faculty's disciplinary file covering the last four (4) years will be sent to the Chair from the Vice Provost of Faculty Leadership and Success, hereafter the Office of the Provost Planning and Finance will upload documents at the commencement of the Chair's step. Should a faculty member opt to have their dossier reviewed by the department personnel committee the chair will upload any disciplinary documents after the committee has written their letter and submitted it to the Chair.
  - b) A brief letter assessing the level of achievement of the faculty member, including a final rating (using the evaluation scale below). In all cases, the letter shall unambiguously indicate how the faculty member's post-tenure review file aligns with evaluation scale, as well as the unit's/college's university approved rubric.
2. The Chair shall forward the post-tenure review file to the Dean for review.

## **Dean's Responsibilities**

1. The Dean shall review the post-tenure review file and add a brief letter assessing the level of achievement, including a final rating (using the evaluation scale below). In all cases, the letter shall unambiguously indicate how the faculty member's post-tenure review file aligns with evaluation scale, as well as the unit's/college's university approved rubric.
2. The Dean may accept, reject, or modify the Chair's recommended rating. The Dean may modify or reject the Chair's recommended rating if and only if it is determined the post-tenure review file unambiguously aligns differently with the unit's/college's approved rubric than the Chair's rating concludes. In the event the Dean modifies or rejects the Chair's recommended rating, the Dean will produce a letter which unambiguously shows this to be the case and make it available to the faculty member for a response.
3. The Dean shall forward the dossier to the Provost for review.

## **Provost's Responsibilities**

1. The Provost will review the post-tenure review file.
2. With guidance and oversight from the President, the Provost will assess the faculty member's level of achievement, and provide a final rating (using the evaluation scale

below).

3. The Provost may accept, reject, or modify the Dean's recommended rating. The provost may modify or reject the Dean's recommended rating if and only if it is determined the post-tenure review file unambiguously aligns differently with the unit's/college's approved rubric than the Dean's rating concludes. In the event the Provost modifies or rejects the Dean's recommended rating, the Provost will produce a letter which unambiguously shows this to be the case and make it available to the faculty member for a response.
4. The Provost shall notify the faculty member, the faculty member's Dean, and the faculty member's Chair of the outcome.

### **Evaluation Scale**

The evaluation criteria are defined by the university-approved rubric as developed by units/colleges and in accordance with BOG 10.003 and FIU Reg 2508.

### **The following performance rating scale will be used to evaluate the faculty member:**

1. **Exceeds Expectations:** A clear and significant level of accomplishment beyond the average performance of the faculty across the faculty member's discipline and unit as quantified in the university approved rubric. Evidence of at least a very good performance rating in each annual evaluation during the review period.
2. **Meets Expectations:** Expected level of accomplishment compared to the faculty across the faculty member's discipline and unit as quantified in the university approved rubric. Evidence of a satisfactory performance rating in each annual evaluation during the review period and satisfactory or greater assessment in each area of their assignment.
3. **Does not Meet Expectations:** Performance falls below the normal range of annual variation in performance compared to faculty across the faculty member's discipline and unit as quantified in the university approved rubric. Evidence of an overall unsatisfactory annual evaluation during one (1) of the previous four (4) years and unsatisfactory performance in any single area of assignment over two (2) of the last (4) years of the review period may be deemed does not meet expectations.
4. **Unsatisfactory:** Performance falls well below the expected level of accomplishment compared to faculty across the faculty member's discipline and unit as quantified in the university approved rubric, and the faculty member is deemed incapable of improvement. Performance reflects disregard or failure to follow previous advice or other efforts to provide correction or assistance, or performance involves incompetence or misconduct subject to termination under the BOT-UFF Policy on Disciplinary Action and Job Abandonment. Evidence of an overall unsatisfactory annual evaluation during two (2) or more of the previous four (4) years; or unsatisfactory performance in any two (2) areas of

assignment over two (2) of the last four (4) years of the review period and has not been determined in their final review to be capable of improvement.

**Review Outcomes:**

1. Each faculty member who receives a final performance rating of “exceeds expectations” the faculty member shall receive compensation consistent with its agreement with UFF-FIU.
2. Each faculty member who receives a final performance rating of “meets expectations,” the faculty member shall compensation consistent with its agreement with UFF-FIU.
3. For each faculty member who receives a final performance rating of “does not meet expectations,” the Dean in consultation with the Chair and faculty member, where possible, shall propose a *Performance Improvement Plan* (PIP) to the Provost to support their successful professional development.
  - a. The plan must include a deadline for the faculty member to achieve the requirements of the PIP. The deadline may not extend more than 12 months past the date the faculty member receives the PIP.
  - b. The Provost shall make final decisions regarding the requirements of each PIP.
  - c. Each faculty member who fails to meet the requirements of a PIP by the established deadline shall receive a notice of termination from the Provost.
  - d. Successful completion of the PIP will result in faculty being returned to status quo returned as a regular tenured faculty, subject to the regular post-tenure review process.
4. For each faculty member who receives a final performance rating of “unsatisfactory,” the Provost shall give the faculty member a notice of termination in terms which align with the CBA (e.g. 6 months-notice except in circumstances where it is determined that the “employee’s actions adversely affect the functioning of the University or jeopardize the safety or welfare of the employee, colleagues, or students”).
5. Final decisions regarding post-tenure review for in-unit faculty members may be appealed pursuant to the Neutral, Internal Resolution of Policy Disputes (NIRD process) as set forth in the FIU BOT-UFF Collective Bargaining Agreement. “Out-of-unit” faculty undergoing post-tenure review will follow the same process.
6. In recognition of the tight timeline and uncertainty associated with the first year of implementation, this first cohort of faculty will receive a one-time payment of \$500 in the paycheck proceeding the submission of their Post-Tenure Review Dossier.