

**10.003 Post-Tenure Faculty Review.**

(1) Each board of trustees shall adopt policies requiring each tenured state university faculty member to undergo a comprehensive post-tenure review

(3) Review Requirements

- (a) The comprehensive post-tenure review shall include consideration of the following.
  - 1. The level of accomplishment and productivity relative to the faculty member's assigned duties in research, teaching, and service, including extension, clinical, and administrative assignments. The university shall specify the guiding documents. Such documents shall include quantifiable university, college, and department criteria for tenure, promotion, and merit as appropriate.
  - 2. The faculty member's history of professional conduct and performance of academic responsibilities to the university and its students.
  - 3. The faculty member's non-compliance with state law, Board of Governors' regulations, and university regulations and policies.
  - 4. Unapproved absences from teaching assigned courses.
  - 5. Substantiated student complaints.
  - 6. Other relevant measures of faculty conduct as appropriate.
- (b) The review shall not consider or otherwise discriminate based on the faculty members' political or ideological viewpoints.

(4) Process Requirements

- (a) The faculty member shall complete a university-designated dossier highlighting accomplishments and demonstrating performance relative to assigned duties and submit the dossier to the appropriate department chair.
- (b) The faculty member's department chair shall review the completed dossier, the faculty member's personnel file, and other records related to professional conduct, academic responsibilities, and performance.
- (c) The faculty member's department chair shall add to the dossier the following.
  - 1. Additional records related to professional conduct, academic responsibilities, and performance concerns.
  - 2. A letter assessing the level of achievement and certification that the letter includes, if applicable, any concerns regarding professional conduct, academic responsibilities, and performance during the period under review.
- (d) The faculty member's department chair shall forward the dossier, including all records and the chair's letter, to the appropriate college dean for review.
- (e) The dean of the college shall review all materials provided by the faculty member's department chair.
- (f) The dean of the college shall add to the dossier a brief letter assessing the level of achievement during the period under review. The letter shall include any concerns regarding professional conduct, academic responsibilities, and performance. The letter shall also include the dean's recommended performance rating using the following scale.

1. Exceeds expectations: a clear and significant level of accomplishment beyond the average performance of faculty across the faculty member's discipline and unit.
2. Meets expectations: expected level of accomplishment compared to faculty across the faculty member's discipline and unit.
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 but is capable of improvement.
4. Unsatisfactory: failure to meet expectations that reflect disregard or failure to follow previous advice or other efforts to provide correction or assistance, or performance involves incompetence or misconduct as defined in applicable university regulations and policies.

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the faculty member's department chair, shall propose a performance improvement plan to the chief academic officer.

1. The plan must include a deadline for the faculty member to achieve the requirements of the performance improvement plan. The deadline may not extend more than 12 months past the date the faculty member receives the improvement plan.
  2. The chief academic officer shall make final decisions regarding the requirements of each performance improvement plan.
  3. Each faculty member who fails to meet the requirements of a performance improvement plan by the established deadline shall receive a notice of termination from the chief academic officer.
- (d) Each faculty member who receives a final performance rating of "unsatisfactory" shall receive a notice of termination from the chief academic officer.
- (e) Final decisions regarding post-tenure review may be appealed under university regulations or collective bargaining agreements, as applicable to the employee, consistent with the following:
1. Notwithstanding section 447.401, Florida Statutes, or any other law related to faculty grievance procedures, personnel actions, or decisions regarding faculty, including in the areas of evaluations, promotions, tenure, discipline, or termination, may not be appealed beyond the level of a university president or designee. Such actions or decisions must have as their terminal step a final agency disposition, which must be issued in writing to the faculty member and are not subject to arbitration. The filing of a grievance does not toll the action or decision of the university, including the termination of pay and benefits of a suspended or terminated faculty member.

(6) Monitoring and Reporting

- (a) The chief academic officer shall report annually to the university president and board of trustees on the outcomes of the comprehensive post-tenure review process consistent with section 1012.91, Florida Statutes.
1. Beginning January 1, 2024, and continuing every three years thereafter, each university must conduct an audit of the comprehensive post-tenure review process for the prior fiscal year and submit a final report to the university's board of trustees by July 1. The audit shall be performed by the university's chief audit executive or by an independent, third-party auditor ("auditor"), as determined by the chair of the university's board of trustees. The auditor must provide the university board of trustees with a report that includes the following.
    - a. The number of tenured faculty in each of the four performance rating categories as defined in (4)(f).
    - b. The university's response in cases of each category.
    - c. Findings of non-compliance with applicable state laws, Board of Governors' regulations, and university regulations and

