

FSU-4.073 Post-Tenure Faculty Review

- (1) Purpose. The Post-Tenure Review process for tenured faculty at Florida State University (FSU) is intended to accomplish the following:
 - (a) Ensure continued high standards of quality and productivity among the University's tenured faculty.
 - (b) Determine whether a faculty member is meeting the responsibilities and expectations associated with assigned duties in research, teaching and service.
 - (c) Recognize, honor and reward exceptional achievement and provide incentives for retention, as appropriate.
 - (d) When appropriate, refocus academic and professional efforts and take appropriate employment action.

- (2) Definitions: For purposes of this regulation, the following definitions apply:
 - (a) "Administrative Role" means a position or role at FSU in which a tenured faculty member is the Provost, a vice president, dean, chair, school director, institute director, center director, or otherwise has significant administrative duties and for which an annual evaluation of all assigned administrative duties, responsibilities and professional conduct is performed.
 - (b) "Eligible Faculty Member" means a tenured faculty member at the University who has been notified by the University that they are subject to Post-Tenure Review in a given year, as outlined in Board of Governors (BOG) Regulation 10.003(2) and determined by the University, who has not received an approved postponement or submitted a letter of resignation/retirement. Tenured faculty in Administrative Roles are not included in this definition. Eligible Faculty Members may include any/all tenured faculty employed at the University in all colleges, including the College of Medicine and the College of Law.
 - (c) "Materials" means an evidence of performance report prepared by an Eligible Faculty Member, and subsequently supplemented by the department chair/unit head (if applicable) and college dean, highlighting the Eligible Faculty Member's accomplishments, and demonstrating performance relative to assigned duties for the Review Period.
 - (d) "Post-Tenure Review" means a comprehensive review of performance of Eligible Faculty Members by the University for the Review Period, including consideration of: (i) the level of accomplishment and productivity relative to a faculty member's assigned duties of research, teaching and service, guided by the Assignment of Responsibility and the college/unit/or department's bylaws; (ii) history of professional conduct and performance of academic responsibilities; (iii) any findings following an official inquiry or investigation that the faculty member has failed to comply with applicable laws or regulations within the scope of their University employment; (iv) any unapproved absences from teaching assigned courses that are reported and substantiated; and (v) any disciplinary action related to a substantiated report of misconduct by a student or others following an official inquiry or investigation. Post-Tenure Review does not replace an Eligible Faculty Member's annual evaluation for that year.
 - (e) "Recommended Performance Rating Scale" means a rating scale including the following:
 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; and
 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 involved incompetence or misconduct, as defined in applicable university regulation and policies.
- (f) "Review Period" means the five-year period prior to the semester in which Post-Tenure Review is occurring for an Eligible Faculty Member.

(3) Timing of the Initial and Subsequent Reviews.

- (a) The Post-Tenure Review process will initially begin in Spring Semester 2024 and encompass approximately 20% of the tenured faculty, as determined by the University, which will include those due for a Sustained Performance review. In addition, each tenured faculty member in the fifth year following their tenure award, their last promotion, or their hire date (if hired with tenure) will be subject to Post-Tenure Review.
- (b) Each Spring Semester in 2025, 2026, 2027 and 2028, approximately 20% of the tenured faculty of the University (who have not yet been subject to Post-Tenure Review) will be subject to an initial Post-Tenure Review, as determined by the University. In addition, during these semesters, each tenured faculty member in the fifth year following their tenure award, their last promotion, or their hire date (if hired with tenure) will be subject to Post-Tenure Review.
- (c) Beginning in Spring Semester 2029, each tenured faculty member will be subject to Post-Tenure Review in the fifth year following their tenure award, their last promotion, their hire date (if hired with tenure) or their last Post-Tenure Review.
- (d) A faculty member's Post-Tenure Review may be postponed, upon approval by the Provost or designee, for extenuating circumstances, including but not limited to being on approved extended leave (such as FMLA, parental leave, or leave of absence), being on a sabbatical, or actively being reviewed for promotion from Associate Professor to Professor.

(4) Participants and Their Responsibilities.

- (a) Eligible Faculty Member: An Eligible Faculty Member shall prepare and submit their Materials to the department chair/unit head (or to the dean, for colleges without departments/units) by the date and via the method specified by the University.
- (b) Department Chair/Unit Head: For colleges that have departments/units, the Eligible Faculty Member's department chair/unit head shall:
 - i. review the Materials submitted by the Eligible Faculty Member, the Eligible Faculty Member's personnel file (with attention to any disciplinary actions), and any other relevant records for the Review Period (such as records of accomplishments and awards, annual evaluations, any findings of an inquiry or investigation of non-compliance with applicable laws or regulations within the scope of their University employment, any records of substantiated unapproved absences from teaching assigned courses, and any disciplinary action issued by the University);
 - ii. prepare and add to the Materials a letter assessing the level of achievement of the Eligible Faculty Member for the Review Period (which may include input from a faculty evaluation committee, if requested by the chair/unit head) and certifying that any substantiated reports regarding professional conduct, academic responsibilities or performance for the Review Period have been included in the letter; and

- iii. forward the supplemented Materials to the Eligible Faculty Member's college dean for review by the date and via the method specified by the University.
- (c) College Dean: The Eligible Faculty Member's college dean shall:
- i. review the supplemented Materials received from the department chair/unit head (if the college has departments/unit);
 - ii. prepare and add to the Materials a letter assessing the level of achievement of the Eligible Faculty Member for the Review Period (which may include input from a college advisory committee, if requested by the dean), including any substantiated reports regarding professional conduct, academic responsibilities or performance, and using the Recommended Performance Rating Scale; and
 - iii. forward the supplemented Materials to the Provost for review by the date and via the method specified by the University.
- (d) Provost: The Provost shall:
- i. review the supplemented Materials received from the college dean, including the dean's letter and rating (which the Provost will accept, reject or modify);
 - ii. rate the Eligible Faculty Member's performance (including information about professional conduct and academic responsibilities) for the Review Period, using the Recommended Performance Rating Scale (in consultation with the President and, if requested by the Provost, with input from a University advisory committee); and
 - iii. notify the Eligible Faculty Member, their department chair/unit head and the college dean of the Eligible Faculty Member's rating and outcome.
- (e) Upon request, the Eligible Faculty Member can view the supplemental documentation added to the Materials by the department chair/unit head and/or the college dean during this process, including letters assessing the level of achievement of the Eligible Faculty Member for the Review Period.

(5) Outcomes from Post-Tenure Review

- (a) Faculty members who receive an Exceeds Expectations or Meets Expectations rating from the Provost shall receive a Post-Tenure Review monetary reward that may consist of a salary increase, a one-time bonus, or both.
- (b) Regarding faculty members who receive a Does Not Meets Expectations rating from the Provost, the relevant college dean, department chair/unit head and appropriate University offices shall propose a Performance Improvement Plan (PIP) to the Provost for each faculty member, which shall include a time period of 12 months or less for the faculty member to achieve the requirements of the PIP. In the event that any faculty member placed on a PIP does not meet the requirements of the PIP by the stated deadline, the Provost shall propose termination of such faculty member, pursuant to applicable University processes.
- (c) For any faculty member who receives an Unsatisfactory rating from the Provost, the Provost shall propose termination of such faculty member, pursuant to applicable University processes.
- (d) Outcomes from the Post-Tenure Review process may be appealed pursuant to the applicable collective bargaining agreement (CBA) or to the Faculty Senate Grievance Committee. In any arbitration hearing, the arbitrator shall review the University's decision solely for the purpose of determining whether it violates the CBA or University regulation/policy and cannot consider claims on equity or substitute the arbitrator's judgment for that of the University.

(6) Reporting.

- (a) The Provost shall report annually to the President and Board of Trustees on the outcome of the Post-Tenure Review process.
- (b) Beginning January 1, 2024 and then every three years thereafter, the University's Office of Inspector General Services shall conduct an audit on the Post-Tenure Review process for the prior fiscal year and submit to the Board of Trustees by July 1st of that year an audit report that includes: (i) the number of tenured faculty members that received each of the four ratings in the Recommended Performance Rating Scale from the Provost, (ii) the outcome in cases of each rating category, and (iii) any findings of non-compliance with applicable laws and regulations.
- (c) The Board of Trustees shall consider the audit report outlined above at its next meeting following the audit report's publication. The audit report cannot be a consent agenda item and must be presented to the Board by the Chief Audit Officer. The audit report must be provided to the BOG, as specified in BOG Regulation 10.003(6)2.b.- c.

Authority: Section 7(d), Art. IX, Fla. Const., Section 1001.706(6)(b), Florida Statutes; Board of Governors Regulation 10.003; History: New June XX, 2023.