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## Post Tenure Faculty Review

The Regulation and Its Implementation

The Regulation and the Law

What if you are Reviewed?

What Expectations for Reviews?

Kudos to a UFF member

Reminders

The USF Chapter of the United Faculty of Florida will meet tomorrow, Friday, at 12 pm, on USF Tampa in EDU254 - and on Zoom. On the [agenda](#): *post tenure review*, the fall campaign, and more. And here are [the minutes for the previous meeting](#). Any employee in the Bargaining Unit may attend, but to Zoom in you must have an invitation: contact [the Chapter Secretary](#) to get one.

Meetings and events are [posted on the Events Calendar](#) of the [UFF USF Website](#). Come and check us out.

## You're Invited!

The United Faculty of Florida invites EVERYONE to a SOCIAL at [Ferg's Sports Bar & Grill](#) in St. Petersburg on Thursday, Sept. 14 at 6 pm. Ferg's is at 1320 Central Ave., and we'll be in the bullpen in the back. Come and check us out!

## Post Tenure Faculty Review

It started with a law passed last year ([1001.706\(6\)\(b\)](#)) requiring the (statewide) Board of Governors to "adopt a regulation



Laws & Regulations

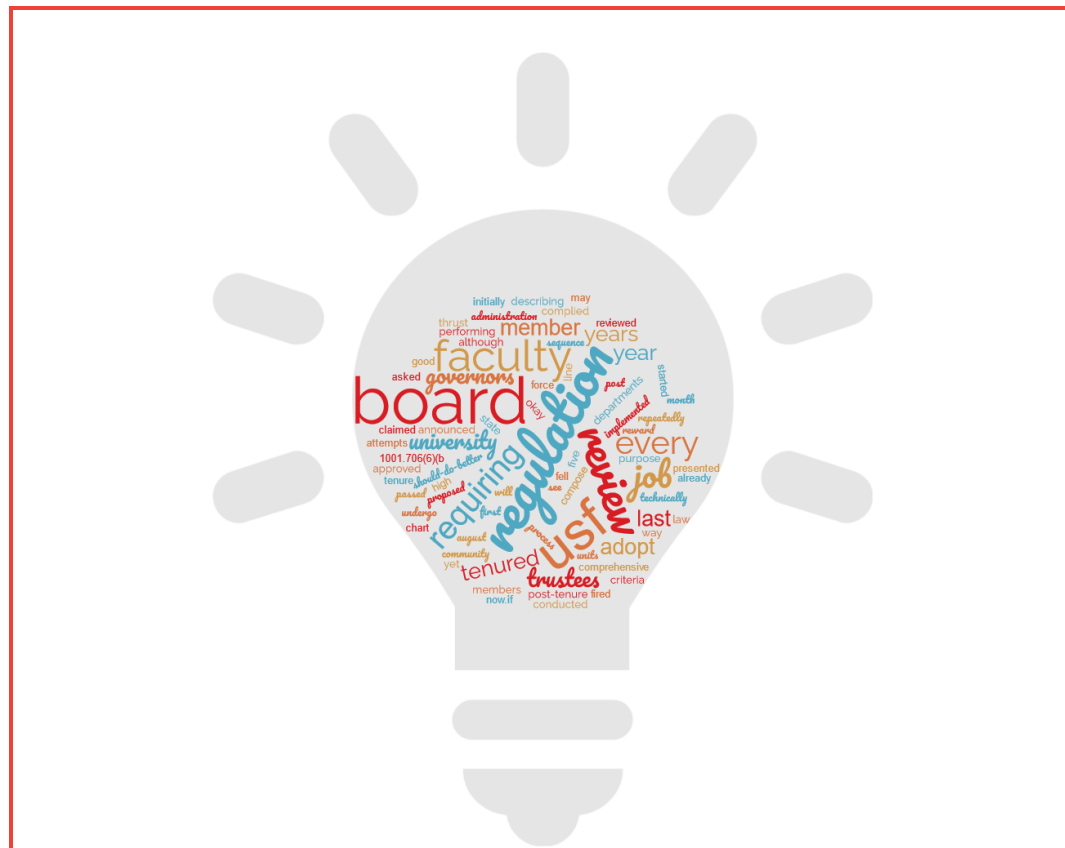


[Image credit](#)

requiring each tenured state university faculty member to undergo a comprehensive post-tenure review every 5 years." After a sequence of attempts, the Board of Governors complied with a [regulation](#) requiring that each university adopt a regulation for "Post Tenure Faculty Review," and members of that Board repeatedly claimed that the purpose was to reward high performing faculty. Last month, the USF Board of Trustees fell in line with a [USF Regulation](#), which is to be implemented ... now.

## Join the Movement!

If you are not a union member, please [join today](#) (the form connects automatically to the eDues form, so you will want to have your banking info or checkbook information handy). We are stronger standing together.



## The Regulation and Its Implementation

If the USF Board of Trustees has its way, every tenured faculty member will be "reviewed" every five years to see if they have been doing a good job, an okay job, a should-do-better job, or be fired. That's the thrust of a [proposed regulation](#) initially approved on August 22. (Here is [the chart describing the process](#) that was presented to the Board.) Although it is not technically in force yet, the USF Administration has already announced it to the USF

community and asked departments and other units to compose criteria for the review so that the first review may be conducted this year.

The regulation will come into force on September 15, and we are now in the Open Comment period: the USF General Council has a [form](#) for submitting comments on the regulation. **All comments must be submitted by September 15 in order to be considered.** However, it states on p. 131 of [the Board's 22 August 2023 Agenda](#) that "...this Regulation will be effective upon the conclusion of the 30-day notice period [i.e., September 15] after all comments are received and reviewed by the Responsible Officer."



## The Regulation, the Contract and the Law

The Board has a problem: they ratified a contract that says (in [Section 1.2](#)) that, "No existing, new or amended University rule, policy, regulation, or resolution shall apply to employees in the bargaining unit if it is inconsistent with or conflicts with an express term or provision of the Agreement." **Any changes in the terms and conditions enumerated in the contract *must be bargained, and so far, nothing on post tenure review has been bargained.***

The terms and conditions that the Board is trying to change unilaterally include:

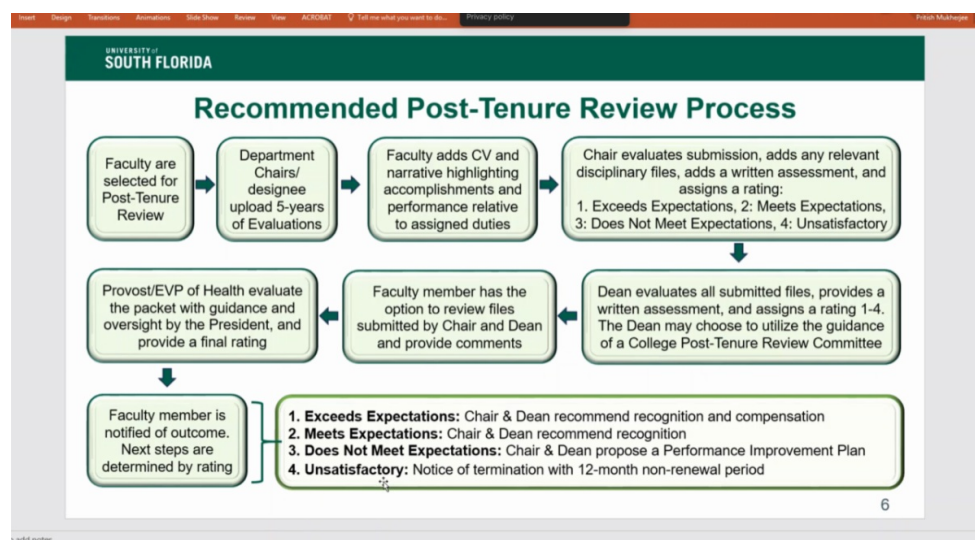
- In [Section 8.4A](#), it says that except for raises and promotions, the Administration may not change any of the items enumerated in Section 8.3 *without the written consent of the employee*. Tenure is one of those items.
- In Sections [15.9](#) and [16.5](#), it says that tenured faculty may only be dismissed for "just cause" - which Section 16.1A defines as "incompetence" or "misconduct." Section 16.7 adds Job Abandonment. The only other form of "termination" in the contract is [layoff](#).

In [Section 10.3B](#), the contract provides a *Sustained*

*Performance Evaluation* to be conducted on each tenured faculty member every seven years. While it does require that tenured faculty found "consistently below satisfactory" be provided with a "performance improvement plan", a faculty member who was rated satisfactory during the previous six years will not be rated "below satisfactory" or confronted with a plan. And Section 10.3B does not provide for termination.

## What Do You Think?

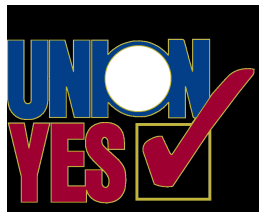
As the United Faculty of Florida prepares its response to the proposed [Post Tenure Faculty Review](#) regulation, we seek the views of the faculty, particularly the tenured and tenure-track faculty - UFF members and non-members alike - who have the most at stake. Towards this end, we have composed this [short survey](#) on your views on tenure at USF, and ask **everyone** to complete it. Thank you.



## What if You are Reviewed?

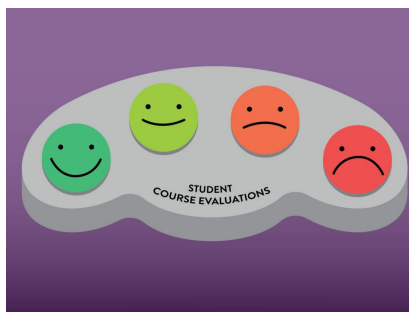
With some exceptions, the tenured faculty to be reviewed are those who were hired with tenure or promoted or had a "comprehensive review" in 2018 (but not subsequently), and one-fifth of those who were not hired, promoted or so reviewed since 2018; the regulation does say how that one-fifth will be chosen. Faculty to be reviewed will submit an abridged CV (no more than five pages) and a narrative of at most 12,000 characters (the [regulation](#) is 7 pages, 2,807 words, and 16,176 characters, not counting spaces - it is not clear if the character limit includes spaces.) The chair adds the last five years of annual evaluations and disciplinary records (if any), along with a written assessment and a rating. The resulting packet then goes to the college. See the [Recommended Post-Tenure Review Process](#) presented to the Board.

It's not clear when all this will happen: the Administration has already fallen behind the [timeline for this year](#): the faculty to be reviewed were to be selected by August 25 and the departments and units were to develop their criteria by September 1. Presumably the schedule will be adjusted so that chosen faculty still have a month and a half to compose their narrative.



## Protect Your Rights

The union's advice is to (a) join the union so that when you (b) comply with the administration's instructions (in order to avoid charges of insubordination) you can (c) have union representation when filing a grievance. (A [grievance](#) is a formal complaint that your contractual rights and privileges are being violated - and that's what's happening - and the union *will not* represent an employee who was not a union member at the time of the violation.)



## Post-Tenure Faculty Ratings and "Expectations"

Three of the four ratings refer to "expectations": reviewed faculty can exceed expectations, meet expectations, fail to meet expectations, or be shown the door. But this year, faculty will be reviewed with respect to criteria composed *after* the faculty performed. This is very strange considering that good managerial practice consists of *communicating expectations prior to performance*. (Indeed, the contract mandates good managerial practice by requiring in [Section 10.3A\(3\)](#) that faculty participate in composing criteria for annual evaluations (so that they presumably have access to them) and in [Section 15.3B](#) that assistant professors have access to their unit's tenure criteria.)

The provost broadcasted some [Post Tenure Review tips](#) advising departments and units so that they may convert their annual evaluation and tenure & promotion guidelines into post tenure review criteria.

There is a problem with using the tenure criteria. Tenure enables faculty to take risks - and not only speaking truth to the public. It also allows faculty to attempt projects that might generate pushback within their own fields (e.g., [Lofti Zadeh's work on fuzzy logic](#) or [Dan Schechtman's work on quasicrystals](#)). And it enables faculty with families and mortgages to take on projects that have a real risk of failure; one of the major criticisms of academia is of faculty churning out papers and playing it safe in order to satisfy bean counters.

As for having criteria that are not derived from annual evaluation and tenure criteria, it is unreasonable - possibly arbitrary and capricious - to expect clairvoyance of tenured faculty. And review criteria that can be used to terminate faculty could easily result in the mediocrity that arises from fear. (It also discourages tenured faculty from sharing resources with tenure-track faculty as both have to continually satisfy the bean counters.) A university that has just made it into the AAU should not sabotage itself.



**One way that scholars serve the community is to provide counsel, not only to VIPs but also to the public. One way for scholars to provide counsel to the public is to publish in major media outlets. To assure the right of USF faculty to offer counsel to the public, Section 5.2 of the [Collective Bargaining Agreement](#) says that "Academic Freedom is the freedom of an employee to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, to speak freely on all matters of university governance, *and to speak, write, or act as an individual, all without institutional discipline or restraint*" [emphasis added].**

We encourage scholars to share their expertise with the public - after all, that is one of the purposes of a university. Incidentally, guest columnists rarely get to choose their own headlines.



### **Kudos for...**

USF history professor [Scott Perry](#) wrote a column on [What New College's board members get wrong about gender studies and classical majors](#) for the Tampa Bay Times. Responding to New College trustee Matthew Spalding's comment that gender studies was "not within the liberal arts" and was "more of an ideological movement than an academic discipline," Perry observed that the original list of [seven liberal arts \[USF login required\]](#) had been expanded to include history (not to mention, say, American studies, chemistry, and economics), and that the pre-eminent honors society concerned with liberal arts education, Phi Beta Kappa, had a number of members offering majors or minors in gender studies and related fields. He concludes by claiming that the charge that gender studies is "ideological activism" is itself "motivated by ideology."



### **Reminders...**

Effective July 1, UFF Members no longer pay dues by deduction. In order to remain in the union, you must pay dues, which is !% of your salary. If you are a union member and you have shifted to eDues, many thanks! I you are a union member and have not shifted to eDues, please get

the "I'm sticking with my union" eDues email and shift today. The law says that being a union member means being a dues-paying member, so get on eDues today. For more information, [click here](#). And we have a video below...

**Membership: Everyone in the UFF USF System Bargaining unit is eligible for UFF membership: to join, simply fill out and send in [the membership form](#).**

NOTE: The USF-UFF Chapter website is <https://uff.ourusf.org/> , and our e-mail address is [uff@ourusf.org](mailto:uff@ourusf.org).

About this broadcast: This Newsletter was broadcast by Constant Contact, and is intended for all members of the UFF USF Bargaining unit (USF faculty and professionals at most departments). A (usually identical) version will be broadcast to USF-News and USF-Talk from [mccolm@usf.edu](mailto:mccolm@usf.edu).

If you do not want to receive the UFF Biweekly, you can unsubscribe below or contacting [the Chapter Secretary](#). If you do not receive the Biweekly, but want to, contact [the Chapter Secretary](#).

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