

Article 15 Tenure

15.1 Policy, Definition and Effect of Tenure.

A. Policy.

Tenure is one of the principal means by which the quality of the University is maintained and developed and is an indispensable element of a university of quality. A university is conducted for the common good. The common good depends upon the unfettered search for truth and its free exposition. Academic freedom and tenure exist in order that society may have the benefit of honest judgment and independent counsel. In order for the University to perform its functions effectively, it is essential that employees feel free to express new ideas and divergent viewpoints in their teaching, research and service. In the process of teaching, research and service, there must be freedom to question and challenge popular and unpopular values, beliefs, opinions and conclusions. A university must create an atmosphere that encourages employees to develop and share different ideas and divergent views and to make inquiries unbounded by present norms. Tenure contributes significantly to the creation of such an atmosphere. It ensures the employee immunity from reprisals or threats due to an intellectual position or belief that may be unpopular.

B. Definition.

Tenure is an employment status granted to an employee by the Board of Trustees of the University upon the recommendation of the University President based upon the recognition of the employee's attainment of a specified level of performance of and accomplishments in teaching, research and service.

C. Effect.

Tenure status guarantees annual reappointment of an employee for successive and continuous academic years until voluntary resignation, voluntary retirement, termination for just cause in accordance with the provision of the Article regarding Disciplinary Action and Job Abandonment, or layoff in accordance with the provision of the Article regarding Layoff and Recall, but does not extend to administration appointments.

15.2 Eligibility for Tenure

Employees with the rank of Assistant Professor, Associate Professor, Full Professor, and other employees the University may designate, shall be eligible for tenure, unless appointed with modifiers that would remove tenure-earning status, e.g. "Visiting", "Research", "Clinical". The University may designate other positions as tenure-earning and shall notify the employee of such status at the time of initial

appointment. An employee who currently holds the rank of Assistant University Librarian, Associate University Librarian or University Librarian, may in his or her sole and absolute discretion make a written request to the University President or representative to designate said employee to be eligible for tenure. The University President or representative, in his/her sole and absolute discretion, shall grant or deny, in writing, such written request. If granted, the tenure earning period shall commence on the date such request is granted. Tenure shall be in a department/unit or other appropriate administrative unit. Tenure shall not extend to administrative appointments in the General Employee/Faculty or Administrative and Professional classification plans. Tenured employees who assume administrative appointments shall retain tenure status in their respective department/units.

15.3 Criteria for Granting Tenure.

A. The granting of tenure to an employee shall be the result of the employee's performance of and accomplishments in teaching, research and service, at a specified level, and shall be based upon established criteria and procedures specified in writing by the University, the employee's college/unit and the employee's department/unit. College/unit criteria and procedures shall be consistent with University criteria and procedures. Department/unit criteria and procedures shall be consistent with college/unit and University criteria and procedures. All such criteria and procedures shall be consistent with the provisions of this Agreement.

B. The University criteria and procedures for granting tenure may be refined and adapted by each college/unit to reflect, as appropriate, the particular practices of the college/unit's disciplines. Such refinements and adaptations shall be developed and approved by the employees of the college/unit to which they apply, in a manner consistent with the applicable governance documents of the college/unit and this Agreement, and shall be consistent with the University's criteria and procedures and the provisions of this Agreement.

C. The University and college/unit criteria and procedures for granting tenure may be refined and adapted by each department/unit to reflect, as appropriate, the particular practices of the department/unit's disciplines. Such refinements and adaptations shall be developed and approved by the employees of the department/unit to which they apply, in a manner consistent with applicable governance documents of the department/unit and this Agreement, and shall be consistent with the college/unit's and the University's criteria and procedures and the provisions of this Agreement.

D. The regular, permanent, full time tenured employees in each college/unit shall develop and maintain written refinements and adaptations of the University's tenure criteria and the regular, permanent, full time tenured employees in each department/unit shall develop and maintain written refinements and adaptations of the college/unit's tenure criteria. All refinements and adaptations shall be tailored to the college/unit's disciplines and the department/unit's disciplines consistent with University

criteria and this Agreement. Such refinements and adaptations shall be agreed to in a secret written ballot vote by a majority of all regular, permanent, full time tenured employees of the respective college/unit and respective department/unit and must be approved by the respective dean and respective chair/director and included in the respective college/unit's and respective department/unit's governance documents. These refinements and adaptations shall:

1. be adaptable to various assigned duties, so that college/unit and department/unit employees have an equitable opportunity to be granted tenure, regardless of their assignments;
2. be detailed enough that a reasonable employee is informed of the performance or accomplishment level (i.e. outstanding, strong or satisfactory) that is sufficient in teaching, research and service for the employee to be granted tenure;
3. identify some representative examples of the achievements or performance characteristics that would qualify an employee for tenure if the required performance or accomplishment levels are met;
4. with respect to research, address how the college/unit and department/unit values various venues in which an employee might be reasonably expected to publish, exhibit, or perform;
5. provide that all of the employee's publications, exhibits and performances shall be considered in assessing whether the employee fulfills the criteria for being granted tenure, whether or not such material was produced prior to or during the tenure earning period.

E. The criteria for granting tenure to an employee shall be relevant to the employee's performance of and accomplishments in the employee's annual assigned duties in each of three (3) areas or broad categories, which are as follows:

1. Teaching. Whenever used herein the term teaching shall include regular classroom and on-line teaching, direction of theses and dissertations, academic advisement, and all preparation for these assignments including keeping current in the employee's field.
2. Research. Whenever used herein the term research shall include publications, creative and scholarly activities, exhibits and performances.
3. Service. Whenever used herein the term service shall include university, college/unit, department/unit, professional, public, community and local, state, national and international service.

F. In assessing whether an employee has satisfied the criteria for granting tenure, the quality of the employee's performance and accomplishments shall be evaluated by the procedures outlined in this Article and the Article on Employee Performance Evaluations. The tenure decision shall be based on the employee's:

1. annual assignments of duties;
2. annual performance evaluations of the performance of assigned duties;
3. fulfillment of the University, college/unit and department/unit written tenure criteria, as related to the employee's annual assignments and performance of same.

4. letters of evaluation addressing/evaluating the employee's research record, based on the criteria developed pursuant to A – F3 above, from outside the University from tenured associate professors and/or tenured full professor from peer (equivalent) universities or other individuals or sources as are mutually agreed to in writing by the employee and appropriate administrator. All authors of said letters of evaluation shall be selected by mutual written agreement of the employee and appropriate administrator. There shall be no fewer than three and no more six letters of evaluation. If the extraordinary situation ever arises where more than the maximum number of letters allowable is received, the dean and chair/director must include all letters, along with an explanation of why additional letters exist.

G. Employees eligible for tenure shall be given a written copy of the University criteria for granting tenure, including all refinements and adaptations made by college/unit and department/unit of those criteria. These criteria, including any refinements and adaptations that are made, shall be available in writing in the department/unit office and college/unit office and posted on the department/unit and college/unit websites, if they have a website. All such criteria and procedures shall also be provided to the UFF/USF President.

15.4 Modification of Tenure Criteria

A. Modifying Tenure Criteria. The University may modify the criteria for granting tenure so long as the local UFF Chapter has been notified of the proposed changes and offered an opportunity to discuss such changes in consultation with the University President or representative. Changes in criteria shall not become effective until one (1) year following adoption of the changes, unless mutually agreed to in writing by the local UFF President and the University President or representative. The date of adoption of said changes shall be the date on which said changes are approved by the administrator at the highest level required under applicable University policies and procedures. Any proposal to develop or modify tenure criteria shall be discussed by all tenured and tenure earning employees of the affected college/units and department/units before adoption.

B. Effect on Employees. The provisions of Article 9.3 are applicable to the modified criteria for granting tenure. Further, if an employee has at least three (3) years of tenure earning credit as of the date on which the modified tenure criteria are adopted under Article 15.4.A above, the employee shall be evaluated for tenure under the criteria as they existed prior to modification unless the employee notified the University at least thirty (30) days prior to commencement of the employee's tenure consideration that he/she chooses to be evaluated under the modified criteria.

15.5 Progress Toward Tenure.

A. Mentoring. Each department/unit, or if none then the college/unit, shall establish a mentoring program for employees in the tenure earning period. Such

program shall include consultation between the employee and mentor assessing the employee's progress toward tenure. No mentoring program in a department/unit or college/unit shall require any written assessments by the mentor.

B. Annual Review. After completing one year of employment, employees eligible for consideration for tenure shall receive an appraisal regarding their progress toward tenure. The appraisal shall be included as a separate component of the employee's annual evaluation and is intended to provide assistance and counseling to the employee to help him/her qualify for tenure. The employee may request, in writing, a meeting with an administrator at the next higher level to discuss concerns regarding the tenure appraisal which were not resolved in previous discussions with the evaluator. The appraisals are not binding upon the University.

C. Midterm Review. A midterm review shall be conducted for all employees in the tenure earning period during March or April of the third year of the tenure earning period by all regular, permanent, full time, tenured employees of the employee's department/unit, certain regular, permanent, full time tenured employees of the employee's college/unit, the chair/director of the employee's department/unit and the dean of the employee's college/unit. The purpose of this appraisal shall be to assess the employee's progress toward meeting the criteria for tenure and to provide thoughtful and constructive assessments, suggestions, and guidance to assist the employee in fulfilling the University's criteria for being granted tenure, as refined and adapted by the employee's college/unit and the employee's department/unit.

1. The University shall develop a procedure which prescribes a format and lists the information/materials that shall be included for conducting the mid-term tenure review. This procedure shall:

a. require that each employee undergoing the review prepare a tenure and promotion file in the same format containing the same information/materials as would a tenure and promotion file of an employee applying for tenure, but without letters of evaluation; and

b. require a written evaluation/analysis of the employee's progress toward meeting the criteria for tenure by:

(1) the employee's department/unit promotion and tenure committee consisting of all regular, permanent, full time tenured employees of the employee's department/unit;

(2) the employee's college/unit tenure and promotion committee consisting of an equal number of regular, permanent, full time tenured employees elected from each department/unit of the employee's college/unit by written secret ballot of the regular, permanent, full time tenured employees of each department/unit in the employee's college/unit.

(3) the employee's chair/director.

(4) the employee's dean.

c. A copy of each written evaluation/analysis in (1) – (4) above shall be provided to the employee and the University Provost.

2. The employee's department/unit chair/director shall provide to the employee the following information/materials for inclusion in the employee's tenure and promotion file:

- a. annual assigned duties, including the proportions of the employee's assignments, reported on the annual activities report, that have been devoted to teaching, research, service and other;
- b. the written criteria and procedures for granting tenure of the University, college/unit and department/unit;
- c. teaching evaluations and comments (statistical summary of all USF evaluations, including the department/unit and college/unit means and peer evaluations, if any); and
- d. each of the employee's annual evaluations.

3. The employee under review shall provide a copy of all of the employee's publications, exhibits and performances, completed or in progress and a narrative regarding the employee's teaching, research and service and such other information/materials as the employee deems relevant to the review.

4. All members of a tenure and promotion committee shall review the employee's tenure and promotion file prior to discussing or voting on said mid-term review. All members of a tenure and promotion committee shall attend all meetings when the employee's mid-term review is discussed or voted on. All members of a tenure and promotion committee shall vote on an employee's mid-term review by secret written ballot except a member serving on both a department/unit and a college/unit tenure and promotion committee shall only vote as a member of one of said tenure and promotion committee on the employee's midterm tenure review. There shall be no proxy voting. Immediately after the secret written ballot vote is completed, the ballots shall be opened and counted by the chair of the tenure and promotion committee in the presence of all members of the tenure and promotion committee. The result of the secret ballot shall then be recorded on the official university mid-term review form along with all other required information after which it shall be signed by all members of the tenure and promotion committee. A written narrative of a majority and/or minority nature may be attached to the official University mid-term review form and signed by the member(s) of the tenure and promotion committee who support said narrative.

15.6 Recommendations and Procedures for Granting Tenure.

A. Recommendations for tenure shall be made by the employee's immediate supervisor and shall be submitted to the appropriate employees and administrators for review. Prior to the consideration of the employee's tenure application, the employee shall have the right to review the contents of the employee's tenure and promotion file and may attach a brief response to any material therein. It shall be the responsibility of the employee to see that the tenure and promotion file is complete at that time. The provisions of Sections 11.2 through 11.8 of this Agreement shall apply to the contents of the employee's tenure and promotion file.

B. Recommendations for tenure shall include a copy of all of the applicable written criteria for awarding tenure, the employee's annual assignments and annual evaluations, the tenure and promotion file prepared by the employee and if the employee chooses, the employee's midterm tenure review.

C. Tenure Review. A tenure review shall be conducted for all employees seeking tenure by all regular, permanent, full time tenured employees of the employee's department/unit, certain regular, permanent, full time tenured employees of the employee's college/unit, the chair/director of the employee's department/unit and the dean of the employee's college/unit. The purpose of the tenure review is to determine if the employee has met the criteria for being granted tenure.

1. The University shall develop a procedure, which includes a format and lists the required information/material that shall be included for conducting the review for granting tenure. The procedure shall:

a. require that each employee undergoing the review, prepare a tenure and promotion file in the required format containing the required information/material; and

b. require a written evaluation/analysis of whether the employee meets the criteria for being granted tenure by:

(1) the employee's department/unit tenure and promotion committee consisting of all regular, permanent, full time tenured employees of the employee's department/unit;

(2) the employee's college/unit tenure and promotion committee consisting of an equal number of regular, permanent, full time tenured employees elected by written secret ballot of the regular, permanent, full time tenured employees of each respective department/unit of each department/unit in the college/unit.

(3) the employee's chair/director.

(4) the employee's dean.

c. A copy of each written evaluation/analysis in b.(1) – (4) above shall be provided to the employee.

2. The employee's department/unit chair/director shall provide to the employee the following information/materials for inclusion in the employee's tenure and promotion file:

a. annual assigned activities, including the proportions of the employee's assignments, reported on the annual activities report, that have been devoted to teaching, research, service and other;

b. the written criteria and procedures for granting tenure of the University, college/unit and department/unit;

c. teaching evaluations and comments (statistical summary of all USF evaluations, including the department/unit and college/unit means and peer evaluations, if any); and

d. each of the employee's annual evaluations.

3. The employee under review shall provide a copy of all of the employee's publications, exhibits and performances, completed or in progress and a

narrative regarding the employee's teaching, research and service and such other information/materials as the employee deems relevant to the tenure decision.

D. If any material is added to the employee's tenure and promotion file after the commencement of consideration for granting tenure, a written copy of said additional material shall be sent to the employee within five (5) business days (by personal delivery or by mail, return receipt requested) of said addition. The employee may attach a brief written response within five (5) business days of his/her receipt of the added material. The tenure file shall not be forwarded until either the employee submits a written response or until five (5) business days after the employee received a copy of the added material, whichever occurs first.

E. The only materials that may be considered in making a tenure recommendation and decision are those contained in the employee's tenure and promotion file. The employee shall have the right to review all of said materials and may not waive said right. The employee shall have the right to review the employee's tenure and promotion file at each stage of review (i.e. department/unit, college/unit and University) and attach a brief written response to any materials contained therein including the evaluation sections(s) prior to the next stage of review.

F. There shall be only one file if an employee is being recommended and considered for both promotion and tenure.

G. All contents of the tenure and promotion file that are not copies of material already in the one evaluation file specified in Article 11 shall become part of the employee's one evaluation file.

H. No employee shall serve as a member of the a promotion and tenure committee conducting an employee's mid-term review or evaluating an employee's request to be granted tenure if said employee, while in an administrative capacity, previously conducted an annual review or midterm tenure review of the employee.

I. All members of a tenure and promotion committee shall review the employee's tenure and promotion file prior to discussing or voting on the employee's tenure application. All members of a tenure and promotion committee shall attend all meetings when the employee's application for tenure is discussed or voted on. All members of a tenure and promotion committee shall vote on an employee's application for tenure by secret written ballot except a member serving on both a department/unit and college/unit promotion and tenure committee shall only vote as a member of one of said tenure and promotion committees on the employee's application for tenure. There shall be no proxy voting. Immediately after the secret written ballot vote is completed, the ballots shall be opened and counted by the chair of the tenure and promotion committee in the presence of all members of the tenure and promotion committee. The result of the secret ballot shall then be recorded on the official university tenure and promotion form along with all other required information after which it shall be signed by all members of the tenure and promotion committee. A written narrative of a majority

and/or minority nature may be attached to the official University tenure form and signed by the member(s) of the tenure and promotion committee who support said narrative.

J. All actions of the members of a tenure and promotion committee shall comply with all rules, regulations and policies of the University, the terms of this agreement and the laws of the State of Florida regarding public records and confidentiality. The University shall supply a copy of all of same to the chair of a tenure and promotion committee for distribution to all members of the tenure and promotion committee.

K. All references to an employee's department/unit shall include other appropriate administrative unit if the employee is not a member of a department/unit

L. No employee shall be granted tenure without the employee's tenure and promotion file being reviewed and evaluated by the employee's department/unit tenure and promotion committee, Chair/Director of the employee's department/unit, college/unit tenure and promotion committee, Dean of the employee's college/unit, University Provost, and University President, except as provided in 15.9 below.

M. No employee shall be granted tenure without following, completing and meeting all of the applicable criteria and procedures for being granted tenure as set forth or referred to in this Agreement, except as provided in 15.9 below.

15.7 Tenure Decision.

A. An employee shall normally be considered for tenure during the sixth year of continuous service in a tenure-earning position including any prior service credit granted at the time of initial employment. The tenure clock may be stopped for medical or related reasons for up to one (1) year upon the written request of the employee and the recommendation of the employee's chair/director and dean and upon approval of the University President or representative. An employee may make a written request for early tenure consideration any time after the employee's midterm tenure review with the granting of said written request subject to the written agreement of the University President or representative.

B. By the end of six (6) years of service in a tenure earning status at the University, an employee eligible for tenure shall either be granted tenure by the Board of Trustees or given written notice by the University President or representative that further employment will not be offered. The written notice shall be provided to the employee no later than April. Upon written request by an employee within twenty (20) days of the employee's receipt of said written notice, the University shall, within twenty (20) days after the University's receipt of the employee's written request, provide the employee with a written statement by the University President or representative containing the specific reasons/justifications, including the specific reasons/justifications for failure to

follow any positive recommendations of the department/unit and college/unit tenure and promotion committees, why tenure was not recommended or granted.

C. The University President may make a recommendation to grant tenure to an employee to the Board of Trustees and if so, the Board of Trustees shall grant tenure. This decision shall normally be made at the Board's May meeting but no later than the following meeting. The employee shall be notified in writing by the University President or representative within five (5) days of the decision of the Board of Trustees.

D. An employee being considered for tenure prior to the sixth (6) year may withdraw from consideration on or before March 15 without prejudice.

E. The University shall provide written notice to the UFF of the name, department/unit, college/unit of all employees who have been given the written notice in B above or granted tenure at the time either of said notices is given to the employee.

15.8 Other Considerations

A. During the period of tenure-earning service, the employee's employment shall be governed by the provisions of the Article on Non-Reappointment.

B. Part-time service of an employee employed at least one semester in any twelve (12) month period shall be accumulated. For example, two (2) semesters of half-time service shall be considered one-half year of service toward the period of tenure-earning service.

C. Where employees are credited with tenure-earning service at the time of initial appointment, all or a portion of such credit may be withdrawn once by the employee prior to formal application for tenure.

15.9 Tenure upon Appointment. The Board of Trustees may grant tenure to an employee at the time of initial appointment, upon recommendation of the appropriate administrator. The administrator shall consider the recommendation of all of the tenure earning and tenured employees of the department/unit or equivalent unit and conduct a secret written ballot of all of the tenured employees of the department/unit or equivalent unit and notify all of the tenure earning and tenured employees of the department/unit or equivalent unit of the results of the secret written ballot prior to making his/her final tenure recommendation.

15.10 Leave. Authorized leaves of absence may, under the provisions of the Article regarding Leaves, be credited toward the period of tenure-earning service.

15.11 The Provisions of the ratified Memorandum of Understanding on Criteria To Be Applied When Evaluating Tenure Applications of Former USF Polytechnic Faculty are incorporated herein, and printed for reference purposes as Appendix "___" of this Collective Bargaining Agreement.