

## **ARTICLE 19 TENURE AND PROMOTION**

19.1 Definition and Policy. Tenure and promotion are critical decisions for the University and for faculty members. In some instances, such as assistant professors seeking tenure and promotion to associate professor, the reviews occur simultaneously. In other instances, only one review (tenure or promotion) occurs. This Article covers the processes, procedures, and criteria used in making the decisions on tenure and/or promotion.

(a) Tenure is one of the principal means by which the quality of the University is developed and maintained. Tenure is attained by the faculty member through distinction in teaching, research/scholarship/creative activity, and/or service to the University and the profession. The granting of tenure is a more critical action than promotion, for it represents a long-term commitment by the University to the individual. The decision to award tenure represents a positive evaluation of the faculty member's total value to the University and potential for the future as evidenced by the faculty member's record.

(1) A faculty member who has been awarded tenure shall have the status of a permanent member of the faculty and remain in the continuing employment of the University until the faculty member resigns or retires; is dismissed for cause under the provisions of ARTICLE 27, DISCIPLINARY ACTION AND JOB ABANDONMENT; or is discontinued from employment pursuant to the layoff provisions of ARTICLE 30, LAYOFF AND RECALL.

(2) Tenure shall be in an academic department or other appropriate administrative unit. With the written approval of the University, the tenure of a faculty member may reside in a center or institute when the research, teaching, and other duties of the faculty member necessitate such a designation.

(3) The same process and procedure shall be applied in cases involving both tenure and promotion. In the case of promotion to Associate Professor with tenure the same criteria shall be applied.

(4) The faculty member's rank, years in rank, or amount of approved leave taken shall not be considered in determining whether the candidate receives tenure.

(5) If a faculty member is considered for tenure at a time other than the last year of the tenure probationary period, the expectations of performance shall be identical to those that would be applicable to that faculty member in the faculty member's last year of the probationary period unless the criteria for tenure have changed as stipulated in Article 19.6.

(6) Upon nomination by the President or designee and approval by the Board of Trustees, tenure shall be granted.

(7) Tenure upon Appointment. The Board of Trustees may grant tenure to a faculty member at the time of initial appointment at the request of the faculty of the affected department(s), the chair and the dean.

a. Requests for tenure upon appointment shall be submitted to the President (or designee) with supporting documentation, including the assessment of the appropriate departmental or unit faculty as stipulated in Article 19.10(c).

b. If the President (or designee) approves the request, the letter of offer of appointment to the nominee shall address the tenure issue by indicating that the recommendation for tenure will be sent to the Board of Trustees for its consideration and

decision. The tenure recommendation shall be acted upon at the first Trustee meeting immediately following the acceptance of employment.

(8) Tenure shall not extend to administrative appointments.

a. Tenured faculty members appointed to administrative positions shall retain tenure in the faculty rank.

b. If a tenure-accruing faculty member is appointed to serve in academic-administrative classifications or administrative positions, he or she shall be eligible for tenure only in the faculty rank.

(b) Promotion is the appointment of a faculty member to a higher academic rank in recognition of distinguished performance. Promotion is attained through distinction in teaching, research/scholarship/creative activity, and/or service to the University and the profession.

(1) Promotion shall be through an academic department or other appropriate administrative unit, and faculty members shall carry their rank with them if they change departments.

(2) If there has been no previous promotion at the University, the promotion decision shall include an assessment of the faculty member's accomplishments prior to employment at the University.

(3) In promotion cases involving tenured faculty members, the decision shall be primarily on assessments of the faculty member's performance since the last promotion.

(4) All of the faculty member's scholarly publications and other research/scholarship/creative activity shall be appropriate to consider in assessing whether the faculty member fulfills the criteria.

(5) The same criteria shall be applied in making or evaluating recommendations in both tenure and promotion judgments.

(6) The faculty member's years in rank or amount of approved leave taken shall not be considered in determining whether the candidate receives a promotion.

(7) An eligible faculty member may initiate the application for promotion whenever the faculty member believes he/she has met the criteria for promotion by notifying the department chair. Faculty members being considered for promotion may withdraw from consideration without prejudice.

(8) Consideration for promotion during an administrative appointment shall be based on the faculty duties and shall not be based on the administrative portion of the assignment.

(9) No promotion decision shall be based on an assessment that employs factors not identified in, or standards conflicting with, the established written criteria specified by the University and clarified in writing by the faculty of the appropriate department in terms tailored to the department disciplines .

## 19.2 Eligibility.

(a) Faculty members with the rank of Assistant Professor, Associate Professor, Professor, Assistant Librarian, Associate Librarian, Librarian, Assistant Curator, Associate

Curator, or Curator shall be eligible for tenure. The University may designate other positions as tenure-accruing.

(b) Faculty members with the rank of Assistant Professor, Associate Professor, Clinical Assistant Professor, Clinical Associate Professor, Assistant Librarian, Associate Librarian, Assistant Curator, Associate Curator, University School Instructor, University School Assistant Professor, University School Associate Professor, Lecturer, Senior Lecturer, Assistant Engineer, Associate Engineer, Assistant Scholar, Associate Scholar, Assistant Scientist, and Associate Scientist shall be eligible for promotion.

(c) Faculty members with the rank of Assistant In \_\_\_\_\_ and Associate In \_\_\_\_\_ may apply for promotion. For this title series, the Dean makes the final decision on promotion.

### 19.3 Tenure Probationary Period.

(a) A faculty member in a tenure-accruing position shall be considered and recommended for tenure or given notice of non-renewal by the end of the tenure probationary period pursuant to the non-renewal provisions of this Agreement.

(b) "Tenure probationary period" is defined as that period of academic service in a tenure-accruing position at the University of Florida by the end of which the faculty member must be recommended for tenure or given notice of non-renewal. The tenure probationary period for each faculty member in a college shall be as follows:

College of The Arts—7 years  
College of Business Administration—7 years  
College of Design, Construction and Planning—7 years  
College of Education—6 years  
College of Engineering—6 years  
College of Health and Human Performance—7 years  
College of Journalism and Communications—6 years  
College of Liberal Arts and Sciences—7 years  
Florida Museum of Natural History—6 years  
University Libraries—7 years

(c) No faculty member shall be required to apply for tenure earlier than the end of the probationary period, although any faculty member may apply as soon as the faculty member has met the criteria for tenure. A faculty member must request to be nominated for tenure no later than July 1 of the last year of the tenure probationary period.

(d) Definition of Qualifying Service.

(1) One (1) year of academic service for those on academic year appointments shall mean employment at 1.0 FTE during academic year beginning with the Fall term. Employment for one semester shall constitute one-half year of academic service for those

on academic-year appointments. One (1) year of service for those on twelve (12)-month appointments shall mean employment at 1.0 FTE for the year. A twelve (12)-month faculty member should be employed by November 7 for the employment to count as one (1) year of eligibility.

(2) Faculty members on a less than 1.0 FTE appointment shall earn credit toward tenure and/or qualifying service on a pro-rated basis.

(3) Time spent under joint appointment or exchange, on a duly established personnel exchange program, or on a special assignment for the benefit of the University, shall be considered a part of the tenure probationary period, unless there is an agreement to the contrary between the faculty member and the University prior to the commencement of the joint appointment, exchange, or special assignment.

(4) A semester in which a faculty member is on a leave of absence shall not be considered a part of the tenure probationary period unless the primary purpose of the leave is to conduct research or there is an agreement to the contrary in writing between the faculty member and the Office of the Provost prior to the commencement of the leave.

(5) A semester in which a faculty member is on reduced full-time equivalent (FTE) compensated leave shall not be considered a part of the tenure probationary period unless the primary purpose of the leave is to conduct research or there is an agreement to the contrary in writing between the faculty member and the Office of the Provost prior to the commencement of the leave.

(6) Except as noted above, a faculty member on unpaid leave for ten (10) or more business days during a semester shall not have that semester counted toward the tenure probationary period, unless mutually agreed otherwise by the faculty member and the University.

(e) Faculty appointed to a tenure-accruing position at less than 1.00 full-time equivalent (FTE) shall be awarded tenure at the percentage of FTE assigned at the time of the initial appointment in the tenure-accruing position.

#### 19.4 Extension of the Probationary Period.

(a) A one (1)-year extension of the probationary period shall be granted when:

(1) The faculty member becomes a biological or adoptive parent, or otherwise has significant care responsibilities for a newborn, a newly adopted child, or a child received into a licensed family foster home or any other situation in which a faculty member, domestic partner, or spouse becomes a legal guardian of a child; or

(2) The faculty member cares for an "immediate family member" who is seriously ill for an extended period and for whom the faculty member has significant care responsibilities.

(b) Any faculty member requesting an extension of the probationary period must make such request in writing to the faculty member's department chair. The submission may be made at any time, but no later than March 1 prior to the final year of the probationary period. The written request must set forth the circumstances and include appropriate supporting documentation. Recommendations from the department and college level must indicate

agreement or disagreement with the request and shall be forwarded to the Provost who has final authority to approve or disapprove the request, but a request made under Section 19.4(a) shall be disapproved only if the requirements of Section 19.4(a) are not met or if appropriate documentation is not furnished if requested.

(c) In addition to the above, in exceptional circumstances a faculty member may request a one (1)-year extension of the probationary period to allow the candidate to demonstrate professional excellence and capacity for future academic productivity. Such application shall be made before the President's final decision on the tenure nomination.

(d) The maximum extension of the probationary period that a faculty member can obtain under Section 19.4(a) is two (2) years.

19.5 Criteria. The awarding of tenure or promotion shall be a result of meritorious performance and shall be based on established written criteria specified by the University and clarified in writing by the faculty of the appropriate department in terms tailored to the department disciplines.

(a) The criteria for the granting of tenure or promotion shall be relevant to the performance of the work that the faculty member has been assigned to do and to the faculty member's responsibilities as a member of the University community.

(b) These criteria recognize three (3) broad categories of academic service as follows:

(1) Instruction, including regular classroom teaching, laboratory, field, clinical, and performance instruction, serving on or directing thesis or dissertation committees, and other instructional activities;

(2) Research or other creative activities, including scholarly publications;  
and

(3) Professional or public service.

(c) In most cases, tenure or promotion requires distinction in two (2) of the three (3) categories, one of which shall be the one designated as the faculty member's primary responsibility. In the case in which a non-tenure accruing faculty member's assignment is exclusively or almost exclusively in one category, distinction must be demonstrated in this category alone. "Distinction" in the categories shall be defined by each college and clarified in writing by the faculty of the appropriate department in terms tailored to the department disciplines and consistent with University standards.

(d) Department Clarifications of University Criteria. The chair and the faculty in each department shall develop and maintain written clarifications of the University's tenure and promotion criteria in terms tailored to the department's discipline(s) and assigned duties and consistent with University standards. Such discipline-specific written clarifications shall be approved according to the provisions of ARTICLE 9, BYLAWS GOVERNING TERMS AND CONDITIONS OF EMPLOYMENT.

(1) These discipline-specific clarifications shall

- a. Be adaptable to various assigned duties;
- b. Be detailed enough that a reasonable faculty member should be informed about the performance or accomplishment expectations necessary to earn tenure or promotion, assuming that the accomplishments are of sufficient quality; and
- c. Identify some representative examples of the achievements or performance characteristics that would qualify for tenure or promotion if the requirement of distinction were met.

(2) With respect to research/scholarship/creative activity, these discipline-specific clarifications shall address how the department values these activities and the outlets in which candidates might be reasonably expected to publish, exhibit, or perform.

(e) In assessing whether the faculty member has satisfied the criteria, the quality of the faculty member's performance shall be evaluated by the procedures outlined in this Article and Article 18.5 related to Faculty Member Performance Evaluations and Evaluation File. The decision shall take into account annual assignments and annual performance evaluations.

(f) These criteria shall be available in the department and college offices and posted on the department and college websites. All such criteria shall also be provided to UFF.

19.6 Changes in Criteria for Tenure and Promotion. The University may modify the criteria for tenure and promotion so long as UFF has been notified of the proposed changes and offered an opportunity to bargain such changes.

(a) Changes to discipline-specific departmental clarifications of the University criteria shall be developed and approved according to the BYLAWS Article.

(b) Changes in criteria, including the discipline-specific departmental clarifications of those criteria, shall not become effective until one (1) year following adoption of the changes, unless mutually agreed to in writing by UFF President and the University. The date of adoption shall be the date on which the University President or designee approves the changes.

(c) Effect on Faculty Members. If a faculty member has at least three (3) years of tenure-earning credit as of the date on which the new tenure and promotion criteria are adopted, the faculty member shall be evaluated under the criteria as they existed prior to modification, unless the faculty member notifies the University prior to commencement of the tenure or promotion consideration that the faculty member chooses to be evaluated under the modified criteria.

19.7 Progress Toward Tenure. Midterm Review Assessing Progress Toward Tenure. A special midterm review shall be conducted for faculty members during the third year of the tenure probationary period. The purpose of this appraisal shall be to assess the faculty member's progress toward meeting the criteria for tenure and to provide assessments, suggestions, and guidance to assist the faculty member in fulfilling the University's tenure criteria.

(a) Faculty members of each department shall develop a procedure for conducting

the review. This procedure must:

(1) Identify how the tenured faculty members of the department will be involved in the appraisal and how the faculty member will be provided feedback regarding the analysis of progress toward tenure; and

(2) Include an evaluation by the department chair and the dean of the faculty member's progress toward meeting the criteria for tenure.

(b) The faculty member under review shall compile an appraisal dossier containing the same kind of information as would be in a tenure dossier but without letters of evaluation. The department chair shall provide to the faculty member the following materials for inclusion in the dossier:

(1) Annual Assigned Activity, including the proportions of the faculty member's assignments, reported on the annual activities report that have been devoted to teaching, scholarship and service;

(2) Tenure Criteria for the University and the department's written discipline-specific clarifications of those criteria;

(3) Peer evaluations; and

(4) The faculty member's Annual Evaluations.

(c) Tenured faculty members of the appropriate department shall review the appraisal dossier and meet with the department chair to assess whether the faculty member under review is making satisfactory progress toward tenure, according to the kinds of expectations and indications of success that are appropriate at this point in the tenure probationary period.

(d) No later than the end of the semester, the results of the review shall be shared with the faculty member. These results shall include any recommendations about how the faculty member might improve his/her performance and tenure dossier and what assistance might be available in the department, college, and University to address candidate needs and improve performance. Upon request, the faculty member shall be provided the opportunity to meet with the chair and/or the dean to discuss the review.

(e) The appraisal process shall be confidential to the extent permitted by law and internal to the department and the college office. Consequently, the appraisal shall not be placed in the faculty member's evaluation file and shall not be included in the faculty member's subsequent tenure dossier.

19.8 Non-Tenure Track Progress Toward Promotion. While there is no probationary period for promotion within the non-tenure accruing ranks, progress through the ranks for non-tenure track faculty should generally follow the same period of academic service in a position at the University of Florida as for tenure-track faculty.

(a) Criteria for Promotion. All departments that employ non-tenure track faculty members shall develop criteria for promotion specific to non-tenure track faculty within that department. These criteria shall be incorporated into the department's bylaws and comply with

relevant promotion guidelines outlined in this Article. Non-tenure track faculty shall be permitted to vote on these criteria for promotion, regardless of their voting rights in other departmental matters.

(b) Progress-to-Promotion (PtP) Review: All departments that employ non-tenure track faculty shall develop a progress-to-promotion (PtP) review process. A description of this process shall be incorporated into the department's bylaws and comply with relevant review guidelines outlined in this Article. Non-tenure track faculty shall be permitted to vote on this process, regardless of their voting rights in other departmental matters.

(1) The purpose of this appraisal shall be to assess the faculty member's progress toward meeting the criteria for promotion and to provide assessments, suggestions, and guidance to assist the faculty member in fulfilling the University's, College's, and Department's criteria. A faculty member who declines to be reviewed under this PtP process must do so in writing by submitting a letter to their chair/director by January 10<sup>th</sup>.

(2) The faculty member under review shall compile an appraisal dossier containing the same kind of information as would be included in the promotion dossier minus external letters of evaluation. The department chair shall provide to the faculty member the following materials for inclusion in the dossier:

a. Annual Assigned Activity, including the proportions of the faculty member's assignments, reported on the annual activities report that have been devoted to teaching, scholarship, and service;

b. Departmental criteria for promotion;

c. Peer evaluations; and

d. The faculty member's Annual Evaluations.

(3) The PtP review process must:

a. Identify, when applicable, how the tenured faculty members of the department will be involved in the appraisal of non-tenure track faculty members and how the faculty member under review will be provided feedback regarding progress toward promotion; and

b. Include an evaluation by the faculty member's department chair and dean concerning their progress toward meeting promotion criteria.

(4) Faculty members senior in rank (including both tenure-track and non-tenure track faculty) and eligible to vote on promotion within the appropriate department shall review the appraisal dossier and meet with the department chair to assess whether the faculty member under review is making satisfactory progress toward promotion, according to the kinds of expectations and indications of success that are appropriate at this point in faculty service.

(5) The results of the review shall be shared with the faculty member no later than six months after the start of the process. These results shall include any recommendations about how the faculty member might improve their performance and promotion dossier and what assistance might be available in the department, college, and University to address candidate needs and improve performance. Upon request, the faculty member shall be provided the opportunity to meet with the chair and/or the dean to discuss the review.

(6) The appraisal process shall be confidential to the extent permitted by law



and internal to the department and the college office. Consequently, the appraisal shall not be placed in the faculty member's evaluation file and shall not be included in the faculty member's subsequent promotion dossier.

#### 19.9 Initiation of the Tenure or Promotion Review Process.

(a) The department chair shall initiate the tenure or promotion nomination upon written request. A faculty member shall apply no later than July 1 for tenure or promotion consideration.

(b) The process begins when the appropriate department chair notifies the faculty member of his/her nomination or the faculty member provides the department chair with written notification of candidacy.

(c) Faculty eligible for tenure or promotion shall be provided with the URL of the department's written clarifications of the University criteria, "The University's Guidelines and Information Regarding the Tenure, Permanent Status and Promotion Process," and other materials, information, and forms that are used in the preparation of the dossier.

(d) The department chair shall inform the nominated faculty member about deadlines in the review process.

(e) Outside Letters of Evaluation. The University shall solicit evaluation of the candidate's research/scholarship/creative activities from qualified scholars in pertinent disciplines outside the University.

(1) The candidate shall submit a list of names to the chair. The chair shall be responsible for choosing the individuals who will be requested to submit letters of evaluation, provided that at least one-half of the evaluators who agree to write letters come from the candidate's list. If an insufficient number of individuals agree to serve as evaluators, the candidate shall submit additional names, as necessary.

(2) The chair shall send the same standard solicitation letter to the qualified scholars as necessary. The letter shall have appended to it the University criteria and the department's written discipline-specific clarifications. The evaluators will be asked to assess the candidate's research performance in order to determine whether it

a. Satisfies the University criteria for tenure or promotion as clarified in writing by the candidate's department;

b. Represents a significant contribution to the field; and

c. Is comparable to the research performance of successful tenure or promotion candidates at the same stage in their careers at comparable public research universities.

(3) All solicited letters that have been received must be included in the tenure dossier.

(4) Candidates must, in writing, either waive or decline to waive the right to view the letters of evaluation before such letters are solicited. Letters of evaluation must be available to the candidate for review unless the candidate executes a written waiver of her/his

right to view the solicited letters of evaluation. No candidate shall be penalized for declining to waive this right.

(5) The evaluators also shall be notified whether the candidate has or has not waived the right to view the letters.

(6) While the standard number of letters is not fewer than five (5), nor more than six (6), a college may elect to require a different number of outside letters, provided that all of the following conditions are met:

a. Any change in the number of required outside letters must be voted on in a publicly noticed meeting and approved by a two-thirds majority of the tenured and tenure-accruing faculty in the college.

b. The range in the new number of required outside letters must remain no more than one (1), e.g., "no fewer than three and no more than four." The number of names submitted by the candidate shall be adjusted to be one (1) more than the top of the range.

(f) Tenure or Promotion Dossier.

(1) The only documents, information, or materials that shall be considered in making a tenure or promotion recommendation are those included in the dossier.

(2) The department chair shall advise the candidate in the preparation of the dossier. However, it shall be the responsibility of the faculty member to see that the dossier is complete and contains all the information that the faculty member believes is pertinent to the nomination.

(3) The dossier shall consist of the following stipulated materials, plus any other evidence the candidate chooses to present to support the candidacy. The candidate shall ensure that the dossier includes all of the materials required in this subsection and that the materials are in the following format, which may be further specified in the "Guidelines and Information Regarding the Tenure, Permanent Status and Promotion Process" provided that such specifications are consistent with the provisions of this Agreement:

1. Nominee information cover page;
2. Brief description of job duties;
3. Areas of specialization;
4. Assigned activity;
5. Educational background;
6. Employment;
7. Year tenure was awarded;
8. The university's tenure criteria, the college's clarification of those criteria, and the appropriate department's applicable written discipline-specific clarifications of those criteria;

9. Teaching, advising, and instructional accomplishments;
10. Teaching evaluations;
11. Educational portfolio;
12. Graduate committee activities;
13. Contribution to discipline narrative;
14. Creative works or activities;

15. Patents and copyrights;
16. Publications;
17. Lectures, speeches, or posters presented at professional conferences/meetings;
18. Contracts and grants;
19. Service Narrative;
20. University governance and service;
21. Consultations outside the university;
22. Editor of a scholarly journal, service on an editorial advisory board, or reviewer for a scholarly journal;
23. International activities;
24. Extension program;
25. Clinical service or clinical activities;
26. Service to schools;
27. Membership and activities in the profession;
28. Honors;
29. Chair's/director's letter;
30. Dean's letter;
31. Sample letter to evaluators and bio-sketches of individuals writing solicited letters of evaluation;
32. Letters of evaluation;
33. Copies of the last five annual letters of evaluation, where applicable; and
34. Further information (any additional materials that the candidate believes is pertinent).

(4) Any documents that have been added to the dossier after the commencement of consideration shall be appended at the end of the dossier and shall indicate the individual who requested the additional document, the date the document was added, and the reasons why the document was included. If the chair or the dean revises his/her letter, the revised letter replaces the previous one. Only the revised letter is available for subsequent levels of review, and the candidate may append a response to the revised letter.

(5) The contents of the dossier shall be available for inspection only by the candidate, University officials who use the information in carrying out their responsibilities, the faculty who are charged with the responsibility of evaluating the candidate's performance, and pursuant to Florida law.

(g) Candidate's Verification of the Dossier. Before there can be a consideration of a candidacy for tenure or promotion, the candidate must review the dossier to ensure that it is complete and contains all the information that the candidate believes is pertinent to the candidacy, and certify completeness in the online system.

(1) Prior to the review of the nomination and at any point in the review process, the candidate shall have the right to review the contents of the dossier and may attach a concise written response to any material in it. If the candidate has waived the right to review the letters of evaluation, these shall not be made available to the faculty member.

(2) The candidate shall verify (electronically) the completeness of the dossier prior to the department review.

(3) After the verifying statement(s) have been signed, a copy of the completed dossier shall be available to the candidate, except that if the candidate has waived the right to see letters of evaluation such letters will not be available to the candidate.

(h) Alterations to the Dossier.

(1) After the candidate's verification of the dossier, no materials shall be added to, deleted from, or changed in the dossier without the candidate's consent, except for:

- a. Information as specified above, which may have been inadvertently omitted or incorrectly entered;
- b. The written assessments and recommendations of faculty committees and administrators who are charged with making recommendations regarding the candidate's application, and the candidate's response to these, if any; and
- c. Clarification, documentation or validation of assertions made by the candidate, when requested in writing by official reviewing faculty committees and administrators.

(2) Candidates shall not be required to provide additional information or materials clarifying areas that are not referenced in Sections 19.9(f) and 19.9(h)(1), above, nor shall candidates be penalized or disadvantaged for refusing to provide such unrequired information or materials.

(3) The candidate may add, delete, or change materials that directly pertain to the dossier by supplying a copy to the appropriate administrator, provided that after any such alteration the dossier contains all of the required materials. The date of inclusion or alteration in dossier shall be recorded in the dossier.

(4) If any material is added to, deleted from, or changed in the dossier by anyone other than the candidate after the commencement of the consideration process, including results of the assessments and copies of both the chair's and the dean's letters, a copy of any such additions, deletions, or changes, other than letters of evaluation to which the faculty member has waived the right to review, shall be available to the candidate as soon as entered into the on-line system. Within ten (10) days of receipt of the material, the candidate may supply a concise response, which shall be added to the tenure dossier. The dossier shall not be forwarded until either the candidate submits a response, indicates in writing that he/she will not be making a response, or until ten (10) days have elapsed from the date of the candidate's receipt of additional or changed material, whichever occurs first.

(5) Except by consent of the candidate, there shall be no anonymous material in the dossier except for numerical summaries of student evaluations that are part of the regular evaluation procedure of classroom instruction and/or written comments from students obtained as part of that regular evaluation procedure. If written comments from students in a course are included in the dossier, all of the comments obtained in the same course must be included.

(6) Materials in the file shown to be contrary to fact shall be corrected before a review of the file can continue. This section shall not authorize the alteration of materials in the evaluation file when there is a dispute concerning a matter of judgment or

opinion.

19.10 Tenure or Promotion Review and Recommendation Procedures. Recommendations for the awarding of tenure or promotion shall proceed through the following levels of review: eligible department faculty, department chair, college Tenure and Promotion Committee, dean (or director in the case of the Florida Museum of Natural History), and the University Academic Personnel Board, and President or designee. At all levels the participants shall be provided with the University criteria, clarifications of the criteria by the College, and departmental discipline-specific clarifications of the criteria. Recommendations by the President or designee to grant tenure shall be forwarded to the Board of Trustees for final decision. All recommendations in this process, along with any candidate responses to those recommendations, shall be included in the dossier prior to the dossier being forwarded to the next review step.

(a) Faculty and administrators participating in a review are advised to consult the TENURE AND PROMOTION Article. The administrator at each level shall be responsible for ensuring that the review at that level is conducted in a manner consistent with the provisions of the TENURE AND PROMOTION Article.

(b) The dossier must be forwarded to each level of review unless the candidate withdraws.

(c) Review and Assessment by Department Faculty.

(1) If a department uses a committee to provide a written assessment of the candidate's qualifications for tenure or promotion, the department committee shall submit its written assessment to the department chair, who shall give a copy to the candidate. The candidate shall have seven (7) days from receipt of the written assessment to append a written response. The chair shall share the committee's written assessment and the candidate's written response with the faculty before they meet to discuss and provide an assessment, by secret poll, of whether or not the candidate meets the criteria for tenure or promotion.

(2) The eligible faculty members of the department shall review the dossier and any materials referenced in it and shall meet to discuss the nomination. After the discussion, eligible departmental faculty must provide an assessment, by secret poll, of whether or not the candidate meets the criteria for tenure or promotion. In tenure cases, only tenured faculty members may register an assessment; in promotion cases, only those with a rank above the candidate may register an assessment. The chair shall not participate in the secret poll. The chair's evaluative letter of 19.10(c)(4) and 19.10(d) serves as her/his vote.

(3) If department policy provides for input from another unit in which the candidate holds an appointment, whether it is in the form of written comments or assessments by secret poll, that input shall be advisory only.

(4) The chair shall report the departmental assessments on the Nominee Information Cover Sheet of the dossier (i.e., for, against, abstaining, and absent). The number of faculty providing assessments for, against, abstaining, and absent shall equal the total number of faculty members of the department eligible to participate in this process according to this collective bargaining agreement.

(d) Department Chair's Review and Recommendation. After reviewing the candidate's dossier, the department chair shall submit an evaluative letter assessing the candidate's qualifications with reference to the department's written discipline-specific clarifications of the University's tenure criteria and make a positive or a negative recommendation. The chair's letter may explain or clarify such issues as exceptional assignments, unique contributions or unusual assessments.

(1) The candidate shall have ten (10) days from receipt of the department chair's letter to submit a written response before the dossier moves to the next level.

(2) The candidate's dossier shall be forwarded to the College Tenure and Promotion Committee for consideration.

(e) Review by the College Tenure and Promotion Committee.

(1) The Committee shall be comprised of tenured faculty members in the college. No less than one-half of the committee members shall be elected by the tenured faculty members of the college. Only those with a rank above the candidate may vote in promotion cases.

(2) The College Tenure and Promotion Committee shall review the candidate's dossier and report on its strengths and weaknesses of the record in terms of the University's criteria and the appropriate department's applicable written discipline-specific clarifications of those criteria.

(3) Evaluations of a candidate's performance shall be based on the candidate's assigned duties.

(4) If there are questions about a dossier, the Committee through its secretary shall notify the chair and the candidate, so they may respond.

(5) The Committee shall provide recorded individual assessments to the dean as part of its fact-finding and consultative role.

a. An individual assessment shall consist of a committee member's indicating whether or not the candidate meets the University standards for tenure or promotion in terms of the College's clarifications of those standards, and the appropriate department's applicable written discipline-specific clarifications of those standards as approved by the College.

b. The individual faculty members making the assessment shall not be identified.

(6) After reviewing each candidate's dossier, including the written assessments and recommendations of the department chair, members of the College Tenure and Promotion Committee shall meet with the dean to share their assessments.

(h) Dean's Review and Recommendation.

(1) After reviewing the candidate's dossier the dean shall submit an evaluative letter assessing the candidate's qualifications for tenure or promotion in terms of the University's criteria, the College's clarification of those criteria, and the department's written discipline-specific clarifications of those criteria and make a positive or a negative recommendation. The dean's letter shall explain or clarify such issues as exceptional assignments, unique contributions, or unusual assessments.

(2) The dean shall enter the letter into the online promotion and tenure system, which will make it immediately available to the candidate and the chair.

(3) The candidate shall have ten (10) days from receipt of the dean's letter to request a meeting with the dean or submit a written response.

(4) The dean shall not forward the dossier until either the candidate submits a response, indicates in writing that he/she will not be making a response, or the ten (10) day period for responding expires, whichever occurs first. The dean must sign the nomination indicating endorsement or lack of endorsement for the nomination before it can be forwarded to the University Academic Personnel Board.

(i) Review by the University Academic Personnel Board.

(1) The Academic Personnel Board shall serve in a fact-finding and consultative role. It shall assess the candidate's dossier according to the criteria and report its assessment to the President or designee.

(2) If there are questions about a dossier, the Academic Personnel Board shall notify electronically those affected.

(3) The candidate's dossier shall be forwarded to the President or designee for consideration.

(j) President's Review and Recommendation.

(1) After reviewing the candidate's dossier and consulting with the Academic Personnel Board, the President or designee shall make a final determination regarding whether to nominate the candidate for tenure to the Board of Trustees.

(2) After reviewing the candidate's dossier and consulting with the Academic Personnel Board, the President or designee shall make the final decision regarding whether to promote a candidate.

(3) The President or designee shall notify the dean of a potential negative decision, who shall notify the department chair and the candidate not less than ten (10) days before the President's or designee's official notification of the decision on tenure or promotion.

#### 19.11 Tenure and/or Promotion Decisions.

(a) Tenure. By the end of the tenure probationary period, a faculty member shall be awarded tenure, be given notice that further employment will not be offered pursuant to the non-renewal provisions of this Agreement, or resign. The Board of Trustees shall make the final decision to award tenure. Faculty members who withdraw from consideration during the last year of the probationary period will be non-renewed unless the chair concurs in a resignation.

(b) Promotion. The President or designee shall make the final decision whether to promote a candidate, except for those in the Assistant In \_\_\_\_\_ series, which shall be decided by the dean.

(c) Faculty members being considered for tenure or promotion may withdraw from consideration provided that the withdrawal is made before the President's official notification

of the decision. Except for candidates in their final year of the probationary period, such withdrawal shall be without prejudice.

(d) Tenure decisions shall normally be made at the June Trustees meeting, and tenure or promotion will be effective on July 1 for twelve (12)-month faculty members and at the beginning of the academic year for nine (9)- and ten (10)-month (academic-year) faculty members.

(e) Decisions on tenure as a condition of employment shall normally be made at the Trustees meeting immediately following the acceptance of employment.

(f) Explanation for denial. The faculty member shall be notified in writing, by the President or designee immediately, or as soon thereafter as possible, of the final action taken on the nomination for promotion. If the faculty member is denied promotion, the notice shall include an explanation of the reason(s) for the denial. This "explanation" shall be defined using the standard dictionary definition: "a statement or account that makes something clear."

(g) Promotion and Tenure Materials and Discussions. All records reflecting evaluations of employee performance compiled for promotion and/or tenure, including records of any discussions of these evaluations, shall be regarded as "limited access records" (see FS 1012.91 Personnel records for reference) and shall be made known only to those individuals who are required to participate in making recommendations or making the decision unless otherwise required by law. All such discussions shall be considered confidential. If witness to a potential violation (whether a violation of a University regulation or policy, a CBA provision, state or federal law, or other violation), that individual shall not be subject to discipline for reporting potential violations to the appropriate body (including but not limited to HR, UFF, EEOC, ADA office). This language shall not be construed as a waiver of any bargaining unit member's right to grant access to their personnel records to a representative of their choosing (e.g., UFF, legal counsel).