

Memorandum of Understanding

Post-Tenure Review

The University of Florida Board of Trustees (UFBOT) and the United Faculty of Florida at the University of Florida (UFF-UF) agree to the following provisions:

1. The post-tenure review processes and procedures shall conform to both FLBOG Regulation 10.003 and UFBOT Regulation 7.010(8).
2. Effect of Passage of Law. If any provision(s) of this MOU, or the Policy referenced herein, which are required by a regulation or statute is later wholly overturned through a final adjudication by the highest tribunal having jurisdiction over the University, the parties agree to engage in collective bargaining with the intent of striking such provision(s). If any provision(s) of this MOU, or the Policy referenced herein, which are required by a regulation or statute is later partially overturned, the parties agree to engage in collective bargaining regarding the provision(s) consistent with the final adjudication.
3. The period of consideration for Performance and Professional activities for a particular PTR Cycle shall be defined as the five academic years, inclusive of the year in which the review occurs, immediately preceding the Post Tenure Review evaluation.
4. Starting Spring of 2024, employees shall be selected for post-tenure review as follows:
 - A. Each tenured faculty member shall have a comprehensive post-tenure review of five years of performance in the fifth year following the award of tenure, the last promotion or the last comprehensive review, whichever is later. For faculty hired with tenure, the hire date shall constitute the date of the last promotion.
 - B. In the first year of post-tenure review, 20% of the tenured faculty will be evaluated, in addition to faculty in 4a. In each of the second, third, fourth, and fifth years following the effective date of this regulation, 20% of tenured faculty who have not received a comprehensive review will be evaluated in addition to faculty who are in the fifth year under 4a.
 - C. Each annual evaluation period runs from May 16 to May 15. The PTR evaluation includes the annual evaluations for the five years prior to the current year through the annual evaluation of the year immediately prior to the current year and five consecutive calendar years' of activities described in the submitted CV. For example, for the PTR occurring in Spring of 2024, annual evaluations from the following academic years will be considered: 2018-2019, 2019-2020, 2021-2022, 2022-2023; and CV Activities from January 1, 2019 through December 31, 2023. This period shall be known as the PTR Evaluation Period.
 - D. For those faculty members selected through provision 4.B. above, faculty members shall be selected utilizing weighted, stratified sampling as follows:
 - a. Where applicable, faculty members shall be assigned ranked quintiles of research productivity through Academic Analytics relative to AAU peers, with quintile 1 being the highest.
 - b. All faculty members shall be divided into ranked quintiles based on scores from a above.

- i. Faculty members from quintiles 1, 4, and 5 shall be equally likely to be randomly selected in each year based upon weighting unique to these quintiles.
 - ii. Faculty members from quintiles 2 and 3 shall be equally likely to be randomly selected in each year based upon weighting unique to these quintiles.
 - c. A proportional number of faculty members shall be randomly selected from each college in accordance with a and b above.
- 5. Once identified for Post Tenure Review and receiving a final rating, the employee shall participate in a subsequent Post-Tenure Review in no fewer than 5 years regardless of the successful completion of a Performance Improvement Plan.
- 6. This MOU sets forth four sets of university criteria: teaching, service, research and professionalism and academic responsibility. It also sets forth a procedure for the development of departmental clarifications of university criteria for research.
- 7. This MOU also acknowledges process requirements for Post Tenure Review described in UF Policy XX-XX and maintained on the University's Policy Hub. Should such language within this agreement become inconsistent with such policy, for any reason, and only for the topics contemplated solely within this MOU, the parties will satisfy any collective bargaining obligations prior to implementation of such changes, but the University will not be delayed in implementing such changes if the cause of such policy change is directly or indirectly caused by a change in statute or BOG Regulation, including what faculty members shall submit as part of the PTR Process.
- 8. This MOU also acknowledges evaluation outcomes of Post Tenure Review ratings shall be those described in UF Policy XX-XX. Should such language within this agreement become inconsistent with such policy, for any reason, and only for the topics contemplated solely within this MOU, the parties will satisfy any collective bargaining obligations prior to implementation of such changes, but the University will not be delayed in implementing such changes if the cause of such policy change is directly or indirectly caused by a change in statute or BOG Regulation.
- 9. The mere fact that a faculty member did not receive an evaluation for one or more years during a PTR evaluation period will not have a negative impact on the faculty member's PTR rating. However, the faculty member's Performance and Professionalism activities for any year in which they did not receive an evaluation shall still be part of their PTR evaluation and rating. The University shall address the responsible administrator's failure to issue one or more evaluations through appropriate personnel action.
- 10. For the years 2020, 2021, 2022, and 2023, faculty members may describe COVID impact as part of PTR narratives.

University Criteria for Post-Tenure Review

Tenured faculty at the University of Florida are expected to demonstrate sustained distinction through professional achievements primarily in teaching and research, the criteria for which shall be applied proportionally based on the assigned effort of the faculty member over the five-year period of the review. Tenured faculty are also expected to demonstrate high levels of professionalism and a commitment to academic responsibility. During the post-tenure review process, the University will review the level of accomplishment, productivity and professionalism over the previous five years.

The following rating methodology describes the university-wide general expectations across disciplines

for evaluation of post-tenure performance for implementation of Board of Governors' regulation 10.003 and University of Florida Regulation 7.010(8). Faculty are not required to achieve all outcomes described for each category, nor is any single outcome definitive in achieving that rating, unless otherwise noted. Due to the breadth of activities across the institution, the outcomes below are not exhaustive and departmental/discipline specific parallel examples of the achievement behaviors called out below are expected. Any documented efforts of activities in publishing in high quality outlets, participation in or organization of national and international research and educational forums, service to the university, service to the faculty member's profession, and quality teaching or pedagogical activities including advising, mentoring and outreach will be taken into consideration.

1. Teaching Criteria:

A faculty member who **exceeds expectations** is generally expected to have produced evidence of a sustained and successful commitment to excellence in teaching, mentoring, and other instructional activities during the PTR Evaluation Period, including the following:

- Student teaching evaluations consistently exceed all of the following of the following, contextualized and adjusted, as appropriate, in cases of courses that have historically lower evaluation score averages across teaching faculty:
 - Department means
 - College means
 - GatorEvals instructor average scores of 3.7
- Peer assessments consistently indicate excellence in teaching
- Development of new curricular elements
- Demonstrating pedagogical or curricular innovation enhancing student learning
- Contribution to educational scholarship
- Awards for excellence in teaching / mentoring
- Teaching certificates and significant commitment to pedagogical professional development
- Leadership in regional, national or international educational societies and boards of the candidate's field
- Contribution to funding educational programs through external sources (ex. grants, foundation, or industry support)
- Advisor or member of a significant number of dissertation, masters or undergraduate thesis committees

A faculty member who **meets expectations** is generally expected to have produced evidence of a sustained and successful commitment to high-quality teaching, mentoring, and other instructional activities during the PTR Evaluation Period, including the following:

- Student teaching evaluations consistently exceeding the lower of the following, contextualized and adjusted, as appropriate, in cases of courses that have historically lower evaluation score averages across teaching faculty:
 - The normal range of variation in performance compared to faculty across the faculty member's department and college; and
 - GatorEvals instructor average scores of 3.7
- Teaches in assigned courses as per department expectations/needs

- Effective mentorship of students/trainees (e.g., office hours, meetings and evaluations completed regularly, establishing individualized development plans (IDPs), opportunities to present and publish work)
- Advisor or member of average number of dissertation, masters or undergraduate thesis committees for a tenured faculty in the unit

A faculty member who **does not meet expectations** exhibits the following performance characteristics during the PTR Evaluation Period:

- Both of the following, contextualized and adjusted, as appropriate, in cases of courses that have historically lower evaluation score averages across teaching faculty:
 - A consistent pattern of student teaching evaluations below the department average in any course with a greater than 10% average response rate; or
 - GatorEvals instructor scores repeatedly equal or less than 3.7 in any course with a greater than 10% response rate
- In cases in which student responses fall below the 10% minimum requirements and limit the number of student score averages to be considered, also exhibit:
 - Record of student evaluations response rates consistently below the department average
 - Absence of any peer assessments of teaching or peer assessments of teaching which fail to describe adequate teaching
- Record of poor mentorship of students/trainees (e.g., failure to hold regular meetings, office hours, and evaluations, establish IDPs, or provide opportunities to present and publish work)
- Evidence of Inconsistent acceptance of assignments to meet the teaching needs of the department/unit

A faculty member who is **unsatisfactory** exhibits the following performance characteristics during the PTR Evaluation Period:

- Evidence of disregard, failure or minimal efforts to follow previous advice or other efforts to provide correction
- Both of the following, contextualized and adjusted, as appropriate, in cases of courses that have historically lower evaluation score averages across teaching faculty:
 - A consistent pattern of student teaching evaluations below the department average in any course with a greater than 10% average response rate; or
 - GatorEvals instructor scores equal or less than 3.5 in any course with a greater than 10% response rate
- In cases in which student responses fall below the 10% minimum requirements and limit the number of student score averages to be considered, also exhibit:
 - Record of student evaluations response rates consistently below the department average
 - Absence of any peer assessments of teaching or peer assessments of teaching which fail to describe adequate teaching
- Evidence of repeated failure to meet expected performance in teaching as evidenced by missed lectures, late grade submissions, or student complaints related to teaching
- Evidence of minimal attempts to mentor or advise or poor mentoring/advising of undergraduate, graduate or professional students

2. Service Criteria:

A faculty member who **exceeds expectations** is generally expected to have produced evidence of the following during the PTR Evaluation Period:

- Leadership roles or national/international impact on external professional organizations, other organizations relevant to the faculty member's area of expertise which contribute to the mission of the university, federal agencies/foundations or conferences.
- Outstanding service or leadership within the university, including in college or university faculty shared governance.
- Editorial role(s) for prestigious peer-reviewed journals and academic presses
- Significant contribution as faculty advisor of campus student organizations
- Judging or jurying prestigious exhibitions
- Contribution to funding service-related programs through external sources (ex:grants, foundation, or industry support)
- Awards or recognition for excellence related to service

A faculty member who **meets expectations** is generally expected to have produced evidence of the following during the PTR Evaluation Period:

- Significant service contributions aligned with the needs of the unit, college, university, profession, and other constituencies, as appropriate for the faculty member's discipline
- Engaged participation in college and departmental committees and faculty governance, as assigned
- Participation in committees, as jurors / critics, grant reviews, or other types of service for external professional organizations, other organizations relevant to the faculty member's area of expertise which contribute to the mission of the university, foundations or governmental agencies
- Editorial or peer review role(s) as applicable for the discipline

A faculty member who **does not meet expectations** exhibits the following performance characteristics over the during the PTR Evaluation Period :

- Evidence of poor attendance or engagement in assigned service duties (e.g. failure to attend >50% of meetings) or faculty shared governance
- Evidence of minimal to no involvement in external professional organizations or disciplinary peer review

A faculty member who is **unsatisfactory** exhibits the following performance characteristics over the during the PTR Evaluation Period:

- Evidence of disregard, failure or minimal efforts to follow previous advice or other efforts to provide correction.
- Evidence of minimal efforts or failure to participate in assigned service duties.
- No documentation of involvement or attempts to become engaged in external professional organizations or peer-review within the discipline

3. Research Criteria:

A faculty member who **exceeds expectations** is generally expected to have produced evidence of the following during the PTR Evaluation Period:

- Productivity in research or other scholarship or creative works of quantity and quality commensurate with the top quintile of performers in the faculty member's discipline at AAU institutions
- Where applicable, grant awards /external financial support commensurate with excellent performance
- Evidence of a high level of professional impact, including regular participation in invited/peer-reviewed presentations /exhibits/commissions/ performances at key meetings, conferences, and venues within one's field, seminar presentations at major research universities/ state and federal agencies, professional awards, and citations to (critically acclaimed reviews of) one's scholarly work
- Leading and serving on national advisory committees for research foundations, federal funding agencies or other authoritative bodies
- Receipt of awards or recognition for excellence related to research and/or creative works

A faculty member who **meets expectations** is generally expected to have produced evidence of the following during the PTR Evaluation Period:

- Productivity in research or other scholarship or creative works of quantity and quality commensurate with typical productivity of faculty in the faculty member's discipline at AAU institutions
- Where applicable, grant awards / external funding commensurate with other faculty in the discipline
- Evidence of professional impact, including adequate participation in invited/peer-reviewed presentations exhibits/commissions/ performances at key meetings, conferences, venues within one's field, seminar presentations at major research universities/ state and federal agencies, professional awards, and citations to/critically acclaimed reviews of one's scholarly work, normed to the faculty member's specific discipline

A faculty member who **does not meet expectations** exhibits the following performance characteristics during the PTR Evaluation Period:

- Productivity in research or other scholarship and creative works of quantity and quality observably below typical productivity of faculty at AAU institutions
- Where applicable, grant awards / external funding below average performance in the discipline
- Inconsistent evidence of professional impact, including irregular participation in invited/peer-reviewed presentations exhibits/commissions/ performances at key meetings, conferences, venues within one's field, seminar presentations at major research universities / state and federal agencies

A faculty member who is **unsatisfactory** exhibits the following performance characteristics during the PTR Evaluation Period:

- Substantial and chronic deficiencies or failure to meet expectations in research / scholarship / creative works with minimal to no efforts to follow previous advice or other efforts make corrections

- Deficiencies in the quantity and quality of research or other scholarship and creative works that are substantially below typical productivity of faculty at AAU institutions
- Where applicable, lack of grant awards to support research in the discipline
- Absence of professional impact, as measured by regular participation in invited presentations at key meetings and conferences within one's field, seminar presentations at major research universities, professional awards, and citations to one's scholarly work

Departmental research criteria clarifications consistent with the foregoing university level research are provided to each department.

4. Professionalism and Academic Responsibilities:

A faculty member is expected to demonstrate consistent professional conduct and adhere to academic responsibility in all aspects of their employment, including but not limited to (a)-(h) below:

- (a) Show commitment to support the responsible exercise of academic freedom by others;
- (b) Observe and uphold the ethical standards of their disciplines in the pursuit and communication of scientific and scholarly knowledge;
- (c) Treat students, staff, and colleagues fairly and civilly in discharging one's duties as teacher, researcher, and intellectual mentor;
- (d) Avoid any exploitation of such persons for private advantage and treat them in a manner that is free of discrimination or harassment or retaliation;
- (e) Respect the integrity of evaluation, evaluating students, staff, and colleagues fairly according to the criteria and procedures specified in evaluation processes;
- (f) Represent oneself as speaking for the University only when specifically authorized to do so;
- (g) Participate, as appropriate, in the system of shared academic governance, especially at the department level, and seek to contribute to the civil and effective functioning of the faculty member's academic unit (program, department, school and/or college) and the University;
- (h) Observe applicable state and federal law and applicable published College, University, and Board of Governors regulations, policies, and procedures, provided that the regulation, policy, or procedure at issue does not contravene contractual or constitutional rights of a faculty member, including the right to criticize or seek revision of those duties, laws, regulations, policies, or procedures. Faculty members seeking change must not do so in ways that unreasonably obstruct the functions of the University.

Only a faculty member's disciplinary record during the evaluation period, as documented in their personnel file may be used to evaluate a faculty member's professionalism and commitment to academic responsibility. Unsubstantiated Investigations and Letters of Counsel, which are coaching and not disciplinary documents, may not be used to negatively impact a PTR rating unless a Letter of Counsel is part of a faculty member's subsequent discipline on the same or similar conduct.

A faculty member who **exceeds expectations** is generally expected to have, over the prior five years, sustained an unblemished record of professional conduct and performance of academic responsibility.

In particular, the faculty member has demonstrated exceptional professionalism and commitment to academic responsibility as evidenced through faculty submissions in the PTR packet, and complied with state law, Board of Governors' regulations, and university regulations and policies.

A faculty member who **meets expectations** is generally expected to have, over the prior five years, sustained a record of satisfactory professional conduct and performance of academic responsibility. In particular, the faculty member has no documented misconduct in their personnel file during the evaluation period and complied with state law, Board of Governors' regulations, and university regulations and policies.

A faculty member who **does not meet expectations** has, over the prior five years, engaged in documented misconduct as defined in university regulations and applicable collective bargaining agreement, or demonstrated unprofessional behaviors that detract from the effectiveness of the department, college or university missions or operations, or demonstrated non-compliance with state law, Board of Governors' regulations, or university regulations and policies. Such misconduct is reflected in the faculty member's personnel file during the evaluation period.

A faculty member who is **unsatisfactory** has, over the prior five years, engaged in documented significant or repeated misconduct as defined in university regulations and applicable collective bargaining agreement, demonstrated significant or repeated unprofessional behaviors that detract from the effectiveness of the department, college or university missions or operations, or demonstrated significant or repeated non-compliance with state law, Board of Governors' regulations, or university regulations and policies. Such misconduct is reflected in the faculty member's personnel file during the evaluation period.

Research Criteria Clarifications for Post-Tenure Review

The following process shall be utilized to develop departmental research criteria clarifications consistent with the foregoing university level research criteria.

1. General research criteria shall be proposed by the Provost to each unit. For PTR purposes, a Unit is defined as a grouping of all tenured faculty responsible for discipline-specific clarifications of University T&P, annual evaluation and merit criteria according to the Collective Bargaining Agreement and University rules and regulations. A Unit is typically a department. The assignment of different criteria within a department (i.e. unit) shall be determined by the Provost in consultation with the Dean.
2. The Provost will share the proposed criteria with the Deans for distribution to the tenured members of the individual unit Tenure and Promotion Committees (T&PCs). If a unit does not have a T&PC, then the Dean may consult with a College PTR Committee, comprised of tenured faculty appointed by the Dean.
3. The T&PCs and applicable College PTR Committees shall have five (5) days to either accept the proposed criteria as written or declare that they seek to propose modifications. Any T&PCs or

PTR Committees who decide to propose modifications must submit such modifications to the Provost within 21 days from the date of the receipt of the provost's proposed criteria.

4. The Provost will consider any proposed modifications from #3 above to the criteria prior to finalization. If the Provost elects not to accept proposed modifications from #3 above, the Provost or designee will provide a written explanation to the T&PCs or relevant PTR committee.
5. Once finalized, no provision of the PTR performance criteria shall be altered or suspended by the Provost without providing an opportunity for consultation through steps 2 through 4 above.
6. A copy of the PTR performance criteria and rating methodology shall be kept on file in the unit office, as well as posted on the unit's website. A copy of the PTR performance criteria shall also be provided to UFF and to the University.

Recognition

For each faculty member who receives a final performance rating of "exceeds expectations" or "meets expectations" through the post-tenure review process, the appropriate college dean, in consultation with the faculty member's department chair, shall recommend to the Provost appropriate recognition and/or compensation in accordance with the faculty member's performance and University regulations and policies. The Provost shall make the final determination regarding recognition and/or compensation.