

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: January 20, 2011

REGULATION TITLE:
Tenure

REGULATION NO.:
UCF-3.011

SUMMARY OF REGULATION AMENDMENT: This regulation amendment is a substantial revision. This regulation sets out the procedures relating to tenure. The regulation defines tenure, sets out the eligibility and criteria, and describes the tenure application procedures. Further, the regulation describes the review of a tenure application, including committee structures. The regulation also describes the procedures for transfer of tenure. The regulation explains how a candidate will be notified of a tenure decision. Finally, the regulation sets out grievability in the event tenure is denied.

AUTHORITY: BOG Regulation 1.001

NAME OF PERSON WHO INITIATED PROPOSED REGULATION AMENDMENT:
Dr. Lin Huff-Corzine, Associate Vice Provost, Faculty Affairs

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS:

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FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

UCF-3.011 Tenure.

(1) Definition. Tenure is an employment classification achieved by the faculty member, which shall be based on the individual's performance over the person's entire tenure-earning appointment at UCF, as well as any time accepted toward tenure by UCF from another institution upon hire.

(2) Policy.

(a) The award of tenure shall provide annual reappointment until voluntary resignation, retirement, removal for just cause, or layoff.

(b) UCF adheres to the provisions of any applicable collective bargaining agreement, regulations, policies, and procedures regarding the tenure procedures of tenured and tenure-earning faculty.

(c) There shall be sufficient discipline flexibility in the interpretation of the standards for tenure so that individuals have a reasonable expectation of fulfilling the requirements.

(d) A faculty member shall be recommended for promotion to associate professor prior to or at the same time tenure is recommended. It is advised that the vote for promotion precede the vote on tenure at department or unit, college, and university levels.

(e) If an employee has at least four (4) years of tenure-earning credit as of the effective date of a modification to the tenure criteria, the employee shall be evaluated for tenure under the criteria as it existed prior to modification unless the employee notifies the university at least thirty (30) days prior to the commencement of the tenure consideration that he/she chooses to be evaluated under the newly adopted criteria.

(f) Tenure may be transferred from one unit to another.

(g) A candidate may withdraw his or her application at any time prior to the provost's final action by written request to the administrative level at which the application resides at the time of the request. If the application is for early tenure, the withdrawal is without prejudice; otherwise, the withdrawal is with prejudice.

(3) Eligibility.

(a) A faculty member will normally apply for tenure during the sixth year of continuous service. Exceptions include, but are not limited to faculty electing to go up early, that is prior to the sixth year; using credit toward tenure given upon hiring, unless voluntarily rescinded; or faculty who were employed in a tenure-earning position starting with a spring semester, in which case they may count tenure-earning time beginning with the following academic year.

(b) Faculty may be hired with tenure (see Hire with Tenure, below).

(4) Tenure criteria.

(a) The recommendation of a faculty member for tenure shall signify that the president and the Board of Trustees are satisfied that the employee will continue to make significant professional contributions to the university and the academic community.

(b) The standards of performance expected for tenure in teaching, research, scholarship, creative activity, and service shall be the same as for the rank the candidate shall hold for the year in which tenure shall be awarded.

(c) Tenure is awarded upon the demonstration of highly competent performance. Tenure criteria shall take into account the mission and needs of the university and shall address the areas of teaching; research, scholarly, and creative activities; and service to the public, the discipline, and the university including those professional responsibilities consistent with faculty status.

(d) The university shall ensure that teaching is evaluated broadly, including assessments by peers, students, administrators, and the candidates themselves and that teaching performance is prominently considered in the award of tenure. Development of innovative course materials and teaching methodology, curriculum development, special teaching responsibilities, awards or other public recognition of teaching, and other teaching related activities shall also be considered in assessing competency in teaching and teaching effectiveness.

(e) As a doctoral granting, research university, UCF places significant emphasis on research, scholarly, and creative activities of faculty members seeking tenure. Consideration shall be given to all evidence related to these activities including, but not limited to, publications, grants, research presentations, and awards.

(f) A department or unit may designate criteria for evaluation in addition to those in this subsection if approved by a majority of the tenured full-time faculty members in the department or unit, the department chair or unit head, the dean, and the provost.

(g) A college may designate criteria for evaluation in addition to those in this subsection if approved by a majority of the tenured full-time faculty members in the college, the dean, and the provost.

(5) Procedures for granting tenure.

(a) At the time a faculty member becomes eligible for tenure consideration, he/she shall submit an application file in accordance with the application format that is available from Faculty Affairs. It is the responsibility of the candidate to ensure that the tenure file is accurate and complete.

(b) Outside review. Each faculty member being considered for tenure will have all relevant material from the application submitted to outside reviewers for evaluation. The outside reviewers, who under most circumstances will not have served as the candidate's dissertation advisor, post-doctoral mentor, or close collaborative colleague, are selected using the following procedures.

1. The department chair or unit head and the department promotion and tenure committee shall jointly nominate a panel of an even number of at least four outside reviewers; and the faculty candidate shall nominate a panel of an even number of at least four persons with the goal of having half selected by the faculty candidate from the panel proposed by the department chair or unit head and promotion and tenure committee, and half selected by the department or unit head and the promotion and tenure committee from the panel proposed by the faculty candidate. It is advised that additional names from each list are ranked by the department chair or unit head and promotion and tenure committee and the faculty candidate, respectively, and designated as alternates in the event that a proposed reviewer cannot complete the evaluation. When a department chair or unit head is under consideration for tenure, the dean shall appoint a person to participate in the tenure process in their supervisory role.

2. Outside reviewer's comments shall be based upon the candidate's professional curriculum vitae and materials selected jointly by the department chair or unit head and the candidate to the outside reviewers. In the event that an agreement cannot be reached as to the selected material, the department promotion and tenure committee shall adjudicate the matter.

3. In all instances, a standard letter provided by Faculty Affairs shall be used by the department chair or unit head for the purpose of submitting a file to outside reviewers. When a department chair or unit head is a candidate, the immediate supervisor shall handle the letters and application file distributions.

4. Outside reviewers primarily provide comments about the significance of the candidate's research, scholarly, and creative activity within their common discipline or area of study.

(c) When complete, recommendations for tenure will be accompanied by supporting materials, various evaluative forms as listed below, and other documentation, as requested.
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1. The faculty candidate's assignments and annual performance evaluations for the period under consideration and all cumulative progress evaluations completed by the department or unit tenured faculty, the department chair or unit head, and the dean, where applicable, in formats provided by Faculty Affairs.

2. The evaluations and recommendations completed by the department or unit tenured faculty ranked at or above the level sought by the candidate, chair or unit head, college promotion and tenure committee, dean, and university promotion and tenure committee in formats provided by Faculty Affairs.

3. Verification of publications and external funding provided by the faculty candidate and signed off on by the department chair or unit head.

(d) Department or unit promotion and tenure committee procedures.

1. Department promotion and tenure committees shall be established within each academic department or unit to function as advisory groups to the department chair or unit

head. Faculty members serving on the college or university promotion and tenure committee and the department chair or unit head may not serve on the department promotion and tenure committee, participate in discussions related to candidates, or vote on candidate files. Each committee shall consist of all tenured department or unit faculty. If a department or unit has fewer than three tenured faculty, tenured faculty from a similar department or unit, normally within the respective college, can serve on the committee for the purpose of evaluating and voting on the candidate's file. Department promotion and tenure committee members must not participate in the voting on an application if there is a conflict of interest or if personal factors might impair objectivity regarding an individual applicant.

2. The committee chair shall be a member of the committee elected by majority vote of its members and shall call the committee into session to transact such business as required. A quorum shall consist of the attendance of all committee members, when practicable, but not less than the majority of the committee members or fewer than three persons. The committee shall, at the request of the department chair or unit head, review the evaluation materials of faculty under consideration. The committee will be professional and discriminating in its decision making and will make its review based on consideration of the facts and supportive evidence contained in the candidate's application.

3. A written evaluation and recommendation of the candidate by the appropriate faculty shall be completed for each faculty member reviewed. Each committee member shall vote on each case considered, with exception of those determined to have a conflict of interest or personal factors that may lead to lack of objectivity, and the result shall be recorded. A committee member does not need to be present to vote, but may only vote on files s/he has

personally reviewed. Each evaluation and recommendation must be accompanied by an explanation for all votes, including split votes and abstentions.

4. The committee chair shall forward a copy of the record of attendance, the committee's written evaluation and recommendation, and the tenure application to the department chair or unit head. The committee shall also designate one of its members to orally report the basis for the committee's recommendation to the department chair or unit head and to the college promotion and tenure committee, if requested by either.

5. Within five calendar days, the department chair or unit head shall notify the faculty candidate of the committee's evaluation and recommendation. Evaluated faculty members may review and, if desired, provide written comments related the committee's evaluation and recommendation within five calendar days after receipt of the notice of the committee's decision. Any such comments shall become part of the candidate's file.

(e) College promotion and tenure committee procedures.

1. A college promotion and tenure committee consisting of one tenured faculty member at the rank of professor, where available, from each department or unit shall be established within each college to function as an advisory group to the dean. Faculty members serving on the department or university promotion and tenure committee and the dean may not serve on the college promotion and tenure committee, participate in committee discussions related to candidates, or vote on candidate files. Also exempted from service are faculty who served on the committee within the last two years, unless the department or unit has only one eligible professor.

2. Each department or unit shall elect a representative to the college promotion and tenure committee. Terms shall be staggered to provide for continuity and uniformity of

committee action. A college with fewer than three departments or units shall elect a minimum of three tenured professors to serve as the college promotion and tenure committee. Small departments or units, i.e., those with fewer than three tenured faculty members, may choose to elect a representative to the college promotion and tenure committee only when a member of the respective unit is applying for tenure and/or promotion, contingent upon approval from the college dean. Representatives shall be tenured professors, where available, elected by a majority vote of tenured and tenure-earning faculty in each department or unit. College promotion and tenure committee members must not participate in the voting on an application if there is a conflict of interest or if personal factors might impair objectivity regarding an individual applicant.

3. The committee chair shall be a member of the committee elected by majority vote of its members and shall call the committee into session to transact such business as required. A quorum shall consist of the attendance of all committee members, when practicable, but not less than the majority of the committee members or less than three persons. In cases of prolonged illness, an alternate member will serve.

4. The committee shall, at the request of the dean or designee, review those credentials submitted by the faculty under consideration. The committee will be professional and discriminating in its decision making and will make its review based on consideration of the facts and supportive evidence contained in the candidate's application.

5. A written evaluation and recommendation of the candidate by the appropriate faculty shall be completed for each faculty member reviewed. Each eligible committee member shall vote on each case considered, with exception of those determined to have a conflict of interest or personal factors that may lead to lack of objectivity, and the result shall be

recorded. A committee member does not need to be present to vote, but may only vote on files s/he has personally reviewed. Each evaluation and recommendation must be accompanied by an explanation for all votes, including split votes and abstentions.

6. The committee chair shall forward a copy of the record of attendance, the committee's written evaluation and recommendation, and the tenure application to the dean.

7. Within five calendar days, the dean or designee shall notify the faculty candidate of the committee's evaluation and recommendation. Evaluated candidates choosing to provide comments on the committee's evaluation and recommendation may do so in writing within five calendar days after receipt of notice of the committee's decision, and this response shall become part of the candidate's application.

(f) University promotion and tenure committee procedures.

1. The university promotion and tenure committee, a reporting committee of the Faculty Senate, shall consist of one tenured faculty member at the rank of professor from each college and function as an advisory group to the provost. Faculty members serving on a department or college promotion and tenure committee may not serve on the university promotion and tenure committee, participate in committee discussions related to candidates, or vote on candidate files. Also exempted from service are faculty who served on the committee within the last two years, unless a college has only one eligible professor, and those who are candidates for tenure and/or promotion.

2. One representative to the university promotion and tenure committee shall be elected by the tenured and tenure-earning faculty from each college. Two-year terms shall be staggered to provide for continuity and uniformity of committee action. Vacancies are filled during the term in which they occur from the area of the vacating member for the remainder

of that person's term. The committee membership will be a matter of public record.

University promotion and tenure committee members must not participate in the voting on a candidate if there is a conflict of interest or if personal factors might impair their objectivity regarding an individual applicant.

3. The committee shall, upon request of the provost, review the evaluation materials of faculty under consideration for change of status. In this review, the committee will rely upon the same criteria used by the department and college promotion and tenure committees. It will be professional and discriminating in its decision making and will make its review based on consideration of the facts and supporting evidence in the application, including the evaluations and recommendations contained therein.

4. The committee chair shall be a member of the committee elected by majority vote of its members and shall call the committee into session to transact such business as required. A quorum shall consist of the attendance of all committee members, when practicable, but not less than the majority of the committee members. In cases of prolonged illness, an alternate member will serve.

5. A written evaluation and recommendation by the appropriate faculty shall be completed for each faculty member reviewed. Each eligible committee member shall vote on each case considered, with exception of those determined to have a conflict of interest or personal factors that may lead to lack of objectivity, and the result shall be recorded. A committee member does not need to be present to vote, but may only vote on files s/he has personally reviewed. Each evaluation and recommendation must be accompanied by an explanation for all votes, including split votes and abstentions.

6. The committee chair shall forward a copy of the record of attendance, the committee's written evaluation and recommendation, and the tenure application to Faculty Affairs for the provost.

7. Within five calendar days, the provost's designee shall notify the faculty candidate of the committee's evaluation and recommendation. Evaluated candidates choosing to provide comments on the committee's evaluation and recommendation may do so in writing within five calendar days after receipt of notice of the committee's decision, and this response shall become part of the candidate's application.

(g) Hire with tenure.

1. Faculty hires with tenure usually occur when the person has held tenure at another institution of higher education and has an extraordinary record of achievement.

2. The process to hire a faculty member with tenure begins with submission of the applicant's dossier to the department or unit followed by an interview and a vote of the tenured faculty in the department or unit. The department chair or unit head shall submit his/her recommendation, the applicant's dossier, and the faculty vote to the dean. The dean shall forward his/her recommendation, the applicant's dossier, and the faculty vote, and a completed "Hire with Tenure" form available on the Faculty Affairs web site to the provost for review. Tenure shall be awarded upon recommendation by the president and approval by the Board of Trustees.

(h) Transfer of tenure. To transfer tenure from one unit to another, the applicant submits an up-to-date curriculum vitae and supporting documentation to the new department or unit. Interviews with the applicant and reviews the applicant's dossier are then conducted by the new department or unit faculty, as well as by the chair or unit head and the dean or dean's

representative. Tenured faculty from the new and originating department or unit vote on the transfer. The votes, along with recommendation from the new and originating chair or unit head, are submitted to the dean(s) of the new and originating college(s). A Memorandum of Understanding (MOU) shall be completed and approved by the dean(s) and provost or provost's designee that outlines the rights and responsibilities of the faculty member, if any, in the originating and new units, as well as the financial obligations, if any, of the originating and new units.

(i) Tenure decision and notification.

1. All candidates, whose applications are not withdrawn, will be reviewed by the provost and president. Final decisions shall be made by the Board of Trustees and rendered in writing. Tenure normally becomes effective at the beginning of the succeeding academic year.

2. If an employee is denied tenure, the employee shall be notified in writing by the university within ten (10) days or as soon as possible thereafter, of that decision. Upon written request by an employee within twenty (20) days of the employee's receipt of notice of denial of tenure, the university shall provide the employee with a written statement of the reasons why tenure was denied.

(j) Grievability. An in-unit employee who receives written notice of denial of tenure may, in accordance with the provisions and requirements of the then-current collectively bargained grievance procedure, contest the decision because of an alleged violation of a specific provision of the collective bargaining agreement. A non-unit employee who receives written notice of denial of tenure may, in accordance with the provisions and requirements of the University's non-unit grievance procedure, Regulation UCF-3.036, contest the decision

because of an alleged violation of University regulation, policy, or procedure. In either case, time limits for filing such grievances shall be as set forth in the applicable procedure.

~~———(1) Scope. This rule shall apply to all faculty members.~~

~~———(2) General Policy.~~

~~———(a) The award of tenure shall provide annual reappointment until voluntary resignation, retirement, removal for just cause, or layoff.~~

~~———(b) University of Central Florida adheres to the Board of Governors Rules 6C-5.940, F.A.C., governing tenure and permanent status.~~

~~———(c) University of Central Florida adheres to the provisions of any applicable collective bargaining agreement regarding tenure procedures.~~

~~———(d) There shall be sufficient discipline flexibility in the interpretation of the standards for tenure so that individuals have a reasonable expectation of fulfilling the requirements.~~

~~———(e) A faculty member shall be recommended for promotion to associate professor prior to or at the same time tenure is recommended. To save time for both faculty members and committees, the application for both status changes shall proceed simultaneously. A vote~~

~~for promotion to associate professor shall precede the vote on tenure at department or unit, college, and university levels.~~

~~——(f) If an employee has at least four (4) years of tenure-earning credit as of the effective date of a modification to the tenure criteria, the employee shall be evaluated for tenure under the criteria as it existed prior to modification unless the employee notifies the university at least thirty (30) days prior to the commencement of the tenure consideration that he/she chooses to be evaluated under the newly adopted criteria.~~

~~——(3) Tenure Criteria:~~

~~——(a) “Tenure is awarded upon the demonstration of highly competent performance. Tenure criteria shall address the areas of teaching; research and other scholarly activities; and service to the public, the discipline, and the university including those professional responsibilities consistent with faculty status. These criteria shall take into account the mission and needs of the institution and shall place appropriate emphasis upon teaching and teaching-related scholarship. In this regard, the institution shall ensure that teaching is evaluated broadly, including assessments by peers and students, and that teaching performance is prominently considered in the award of tenure.” (paragraph 6C-5.940(1)(b), F.A.C.)~~

~~——(b) “The recommendation of an employee for tenure shall signify that the president is satisfied the employee will continue to make significant professional contributions to the university and the academic community. Upon recommendation by the~~

president and approval by the Board of Trustees, tenure shall be awarded.” (paragraph 6C-5.940(1)(j), F.A.C.)

~~——(c) Tenure is an employment classification achieved by the faculty member and shall be based on demonstrated ability and performance in the areas of teaching, research, other scholarly activities, and service. For tenure, performance over the entire term of appointment at UCF shall be considered. For candidates with prior credit towards tenure, performance before appointment at UCF shall also be considered.~~

~~——(d) The quality, quantity, and consistency of such performance must provide evidence of the candidate’s value to the university and assurance of potential for the future.~~

~~——(e) In general, the standards of performance expected for tenure in teaching, research, scholarship, and service shall be the same as for the rank the candidate shall hold for the year in which tenure shall be awarded.~~

~~——(f) Candidates for tenure shall have demonstrated effectiveness in teaching. Evaluation of teaching by peers, students, administrators, and the candidates themselves as well as teaching related scholarship shall be considered in assessing competency in teaching and teaching effectiveness. Development of innovative course materials and teaching methodology, curriculum development, special teaching responsibilities, awards or other public recognition of teaching, and other teaching related activities shall also be considered in assessing competency in teaching and teaching effectiveness.~~

~~——(g) It is the responsibility of the candidate to ensure that the tenure file is accurate and complete.~~

~~——(4) Procedure for Granting Tenure.~~

~~——(a) At the time a faculty member becomes eligible for tenure consideration, he/she shall submit an application file in accordance with the application format that is available in the Office of Academic Affairs. Normally, a faculty member will consult with the appropriate department chair or unit head before submitting an application. However, a faculty member may submit an application without an endorsement from the department chair or unit head.~~

~~——(b) Outside review: Each faculty member being considered for tenure shall have all relevant material from his/her application file submitted to an even number of at least four outside reviewers for evaluation. The outside reviewers are to be selected using the following procedures:~~

~~——1. The department chair or unit head and the department promotion and tenure committee shall jointly nominate a panel of at least four outside reviewers; and the faculty member being considered for tenure shall nominate a panel of at least four outside reviewers. The final panel of outside reviewers shall consist of an even number of at least four persons: half selected by the faculty candidate from the panel proposed by the department chair or unit head and the promotion and tenure committee, and half selected by the chair and the promotion and tenure committee from the panel proposed by the faculty candidate. When a~~

~~department chair or unit head is under consideration for tenure, his/her dean shall appoint a person to participate in the tenure process in the role of the department chair's or unit head's supervisor.~~

~~2. Outside reviews shall be required for all tenure candidates.~~

~~3. Outside reviewer's comments shall be based upon a professional resume and relevant material provided jointly by the department chair or unit head and the candidate to the outside reviewers. In the event that an agreement cannot be reached on the relevant material, the department promotion and tenure committee shall adjudicate the matter.~~

~~4. In all instances, a standard letter provided by the Office of Academic Affairs shall be used by the department chair or unit head for the purpose of submitting material for outside review. When a department chair or unit head is a candidate, his/her immediate supervisor shall handle this process.~~

~~5. Outside reviewers primarily provide comments about the significance of tenure candidate's research and creative activity within their common discipline or area of study.~~

~~(c) A committee consisting of all tenured department and unit faculty members, where available, shall meet to evaluate and make a recommendation on the candidate's application for tenure. The recommendation vote and the evaluation shall be forwarded with the tenure application. The department chair or unit head shall not vote on this department~~

~~committee. If a department or unit has fewer than three tenured faculty, departments or units (typically, from within the respective college) can be merged for tenure votes.~~

~~——(d) The tenure application shall be evaluated by the candidate's department or unit promotion and tenure committee, the appropriate department chair or unit head, the college promotion and tenure committee, the college dean, the university promotion and tenure committee, the provost, and the president. The tenure application shall be approved by the president before it can be submitted to the Board of Trustees.~~

~~——(e) The evaluation and recommendation provided to the Board of Trustees shall be accompanied by supporting materials as listed below:~~

~~——1. An application file in a format provided by the Office of Academic Affairs.~~

~~——2. All annual evaluations and cumulative progress evaluations completed by the department or unit tenured faculty, the department chair or unit head, and the dean over the entire term of appointment at UCF.~~

~~——3. Annual assignments for at least the prior five (5) years at UCF, or such years, if fewer than five (5), that the faculty member has been at UCF. The faculty member may supplement this submission with annual assignments from other accredited universities.~~

~~——4. The evaluations and recommendations of the candidate by the department or unit faculty, the department chair or unit head, the college promotion and tenure committee,~~

~~the dean and the university promotion and tenure committee in a format provided by the Office of Academic Affairs.——~~

~~——(f) The evaluation sequence begins with all tenured faculty in the department or unit, and proceeds to the department chair or unit head, the college committee, the college dean, the university committee, and then to the provost and the president. All evaluations and recommendations shall be forwarded successively, and the faculty member shall receive a notice of each evaluation and recommendation at the time it is forwarded. Written comments can be included in the tenure application file in response to evaluations and recommendations made by the department committee, the department chair or unit head, the college committee, the dean, and the university committee if provided within five (5) days of the date of notification of each evaluation and recommendation.~~

~~——(g) If the president approves the candidate's application for tenure, the nomination shall be forwarded to the Board of Trustees for action. The university shall provide the nominee with a written report of the final action taken by the Board of Trustees on their application for tenure.~~

~~——(h) Notice of Denial. If any employee is denied tenure, the employee shall be notified in writing by the university within ten (10) days or as soon as possible thereafter, of that decision. Upon written request by an employee within twenty (20) days of the employee's receipt of notice of denial of tenure, the university shall provide the employee with a written statement of the reasons why tenure was denied. (i) Grievability. An in-unit employee who receives written notice of denial of tenure may, in accordance with the~~

~~provisions and requirements of the then current collectively bargained grievance procedure, contest the decision because of an alleged violation of a specific provision of the collective bargaining agreement. A non-unit employee who receives written notice of denial of tenure may, in accordance with the provisions and requirements of the University's non-unit grievance procedure Regulation 6C7-3.0132, contest the decision because of an alleged violation of University rule, policy, or procedure. In either case, time limits for filing such grievances shall be as set forth in the applicable procedure.~~

Authority: BOG Regulation 1.001. History—New 10-8-75, Amended 11-10-77, 4-30-81, 8-4-85, Formerly 6C7-3.11, Amended 8-14-88, 8-2-89, 3-11-93, 9-15-96, 12-9-97, 3-16-03, 10-18-05, _____-11.