



Office of the General Counsel
11000 University Parkway
Pensacola, FL 32514-5750

April 1, 2015

Ms. Janice Perkins-Gilley
University of West Florida
11000 University Parkway
Pensacola, FL 32514

Re: Repeal of HR 700 Tenure and Permanent Status

Dear Janice:

Please process the attached policy for repeal to the President for approval and signature. With your permission, we will remove the policy from the University Reference Collections.

Tenure and Permanent Status. This policy is being repealed with the approval of the Provost because the policy is out of date and the content is included in the Collective Bargaining Agreement. The repeal of HR 700 Tenure and Permanent Status was posted in the policy review system on February 27, 2015 and completed the general review period with no comments. I have attached the history of the review for your convenience and confirmation. Thank you.

Sincerely,

Handwritten signature of Lisa N. Bernau in cursive.

Lisa N. Bernau
Assistant General Counsel

Approved:

Handwritten signature of Dr. Judith A. Bense in blue ink.

Dr. Judith A. Bense, President

Date:

Handwritten date "4/2/15" in blue ink.

TO: University of West Florida Community

FROM: Dr. Morris L. Marx, President

SUBJECT: HR 700TENURE AND PERMANENT STATUS

EFFECTIVE: January 1, 2000

AUTHORITY: BOE Rule 6C-5.940
1001.74 FS
Collective Bargaining Agreement UFF
Chancellor's Memorandum CM-M-08.02-04/00 Reporting Instructions for Tenure
Nominations

PROCEDURE STATEMENT:

The University of West Florida faculty shall adhere to the provisions of the collective bargaining agreement between the SUS of Florida and the United Faculty of Florida (UFF) articles related to tenure and permanent status.

CONTENTS

- I. Tenure
- II. Permanent Status

I. Tenure

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

Tenure is awarded upon demonstration of meritorious 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.

- A. Eligibility. Employees with the rank of Assistant Professor, Associate Professor, Professor, and other employees the Board may designate shall be eligible for tenure. Other employees shall be governed by the agreement in force at the time of their original appointment. The Board may designate other positions as tenure-earning and shall notify the employee of such status at the time of initial appointment. Tenure shall be held as ranked faculty in an academic department/unit and shall not extend to administrative appointments.
- B. Consideration. An employee shall normally be considered for tenure during the sixth year of continuous service in a tenure-earning position unless:
1. An employee is to be considered prior to the fifth year due to:
 - a. an employee's receipt of prior service credit at the time of initial appointment; or
 - b. the university's written agreement to an employee's written request for earlier consideration; or
 2. An employee has requested in writing consideration during the sixth such year and the university has agreed in writing.

Part-time service of an employee employed at least one semester in any twelve month period shall be accumulated.

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

By the end of six years of service at the University, an employee eligible for tenure shall either be awarded tenure by the Board or given notice that further employment will not be offered. Upon written request by an employee within twenty (20) days of the employee's receipt of such notice, the university shall provide the employee with a written statement of reasons by the President or representative why tenure was not granted.

C. Criteria for Tenure

1. The decision to award tenure to an employee shall be a result of meritorious performance and shall be based on established criteria specified in writing by the Board and the University. The decision shall take into account the following:
 - a. annual performance evaluations;
 - b. the needs of the department/unit, college/unit, and university;
 - c. the contributions of the employee to the employee's academic unit (program, department/unit, college/unit; and
 - d. the contributions the employee is expected to make to the institution.
2. The University shall give a copy of the criteria for tenure to employees eligible for tenure, and each such employee shall be apprized in writing once each year of the employee's progress toward tenure. The appraisal shall be included as a separate component of the annual evaluation and is intended to provide assistance and counseling to candidates to help them qualify themselves for tenure. The employee may request, in writing, a meeting with an administrator at the next higher level to discuss concerns regarding the tenure appraisal which were not resolved in previous discussions with the evaluator. The appraisals are not binding upon the University.
3. Tenure criteria shall be available in the department/unit office and/or at the college/unit level.

D. Recommendations and Procedures

1. Recommendations for the awarding of tenure shall be made by the employee's supervisor and shall include a poll by secret ballot of the tenured members of the employee's department/unit. The performance of an employee during the entire term of employment at the institution shall be considered in determining whether to grant tenure. Recommendations regarding tenure shall include a copy of applicable tenure criteria, the employee's annual assignments and annual evaluations, and, if the employee chooses, the employee's tenure appraisals. The reviewers at any stage in the review may request to review the appraisals. Prior to the consideration of the employee's candidacy, the employee shall have the right to review the contents of the tenure file and may attach a brief and concise response to any materials therein. It shall be the responsibility of the employee to see that the file is complete.
2. After the commencement of consideration of an employee for tenure, material may be added to the file no sooner than five (5) days after the material has been transmitted to the employee by personal delivery or by mail, return receipt requested. The employee may attach a concise response to any such material within five days after it has been transmitted to the

employee. The only documents which may be considered in making a tenure recommendation are those contained or referenced in the tenure file.

E. Decision by the Board

The decision of the Board to award or deny tenure shall be made by September 15. The employee shall be notified in writing by the President or representative within five (5) days of the decision of the Board. An employee being considered for tenure prior to the sixth year may withdraw from consideration on or before March 15 without prejudice.

F. Transfer of Tenure

1. Tenured SUS employees who transfer within a SUS university or to another SUS university, and who are employed in the same or similar discipline, may transfer their tenure if a vacancy exists and they are offered employment through the normal hiring process. The amount of prior SUS service creditable toward tenure at another university may, by mutual agreement, be all or part of such service. In the absence of mutual agreement, all such service shall be credited.
2. When a tenured SUS employee is transferred as a result of reorganization or program curtailment within the university and is employed in the same or similar discipline in which tenure was granted, the employee's tenure shall be transferred to the new department.

G. Tenure upon Appointment

Tenure may be granted to an employee by the Board at the time of initial appointment, upon recommendation of the appropriate administrator. The administrator shall consider the recommendation of the department or equivalent unit prior to making his/her final tenure recommendation.

H. Leave

Authorized leaves of absence may, under the provisions of Article 17, Leaves, be credited towards eligibility for tenure.

I. Termination/Layoff

Tenure/permanent status guarantees annual reappointment for the academic year until voluntary resignation, retirement, removal for just cause or layoff, but does not extend to administrative appointments.

J. Guidelines for Tenure

The Dean shall provide to each chairperson in his/her College a list of faculty members eligible for tenure in any given year. The chairperson shall, upon receipt of this list, write a letter recommending tenure, denial, or deferral and a brief rationale for such recommendation to the dean for each eligible member of the

faculty. In making said recommendation, the chairperson shall consider the faculty member's contribution to the University in teaching, creative and scholarly activities, advising, intramural and extramural service.

All full-time tenured faculty in the department or unit shall complete a secret vote. All faculty shall be requested by individual letter from the chairperson to submit an evaluation on tenure for each eligible faculty member within the appropriate unit. The evaluation, which must be signed, shall be submitted to the chairperson. The chairperson shall solicit at least three evaluation for tenure-eligible candidates from knowledgeable peers. Each faculty member eligible for tenure will be informed by the Chairperson in writing whether he/she will be recommended for tenure.

Other procedures for tenure recommendation follow those outlined in the model for Annual Evaluation of Faculty.

The President shall recommend to the Board of Regents on all tenure matters, taking into account the recommendations of all groups or individuals described in this statement.

Evaluators, chairpersons, deans, and faculty personnel committee members shall keep all recommendations and Committee deliberations in strict confidence. The President shall notify in writing each tenure-eligible member of the final tenure decision in his/her case immediately following appropriate action by the Regents.

II. Permanent Status

Permanent status for USPS employees shall be administered consistent with the following provisions.

- A. An employee earns permanent status in the class after successful completion of the designated probationary period and has rights to remain in the class or to contest adverse action taken against the employee while serving in the class.
- B. An employee with permanent status filling a time-limited position shall not have retention rights or other rights provided under layoff and recall provisions.
- C. An employee without permanent status in any class may be terminated at any time without the right to appeal such action.
- D. An employee, as a condition of accepting a disciplinary demotion, relinquishes rights to previously earned permanent status.

Change Justification:

This policy is being repealed because it is out of date and the content is included in the Collective Bargaining Agreement.

History:

HR 700 Tenure and Permanent Status, adopted January 2000; repealed hereby.

Approved: _____

Dr. Judith A. Bense, President

Date: _____

4/2/15