

STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
September 8, 2023

SUBJECT: Public Notice of Intent to Amend Board of Governors Regulation 10.003, Post-Tenure Faculty Review

PROPOSED BOARD ACTION

Consider approval of Public Notice of Intent to Amend Board of Governors Regulation 10.003, Post-Tenure Faculty Review.

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution

BACKGROUND INFORMATION

Board of Governors Regulation 10.003, Post-Tenure Faculty Review, requires tenured State University System faculty to undergo a comprehensive post-tenure review every five years and outlines the assessment, monitoring, and reporting requirements for these reviews.

The 2023 Florida Legislature passed Senate Bill 266, signed into law on May 15, 2023. The bill created section 1001.741, Florida Statutes, assigning final authority for hiring to the university presidents. The statute also requires university presidents to present performance evaluation results before their board of trustees, prohibits any pledge or oath as a condition for hiring, promotion, or tenure, and specifies that faculty grievances may not be appealed beyond the university president or designee.

Board staff propose amending Regulation 10.003 to align the regulation with the new statutory requirements on grievance procedures and arbitration. The proposed amendment states that personnel actions, including evaluations, promotions, tenure, discipline, or termination, may not be appealed beyond the university president or designee. Additionally, the proposed amendment requires universities to issue in writing to the affected faculty member any final decisions regarding personnel actions, which are not subject to arbitration. The proposed amendment also clarifies that any grievance filing will not affect the university's action or decision, including the termination of pay or benefits for a suspended or terminated faculty member.

If approved by the Academic and Student Affairs Committee and the Board of Governors, the amended regulation will be available for public comment for 14 days. If no concerns are raised during that time, the regulation will come before the Board of Governors for final approval at the next meeting.

Supporting Documentation Included:

In Academic and Student Affairs
Committee Materials