



Levin College of Law
Office of the Dean

Merritt McAlister
Interim Dean and Levin, Mabie & Levin Professor of Law

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February 27, 2024

MEMORANDUM

TO: Full-Time Faculty, Levin College of Law

FROM: Merritt McAlister, Interim Dean

RE: Faculty Meeting Agenda, Tuesday, March 5, 2024

Our ninth Faculty Meeting of the 2023-2024 academic year will take place in the Faculty Lounge on the third floor of Holland Hall on Tuesday, March 5, 2024. The meeting will begin at noon and will end no later than 1:30 p.m.

The agenda is as follows:

1. Action Item: Approve Faculty Meeting Minutes for February 13, 2024, attached (Dean McAlister)
2. Information Item: Update from Appointments Committee (Lidsky, Chair)
3. Information Item: Policy on low enrollment courses (Dean McAlister)
4. Action Item: Present proposed response to Post Tenure Review for faculty approval. (Zheng, P&T Committee)

If you are unable to attend, please contact Peter Molk, who will discuss available options. Otherwise, I look forward to seeing you.

UF Levin College of Law Faculty Meeting Minutes
February 13, 2024 - 12:00 noon

PRESENT: Juan Caballero, Judy Clausen, Julian Cook, Lisa De Sanctis, Teresa Drake, Donna Eng, Barbara Evans, Mark Fenster, Ben Fernandez, William Hamilton, Christopher Hampson, David Hasen, Thomas Hawkins, Berta Hernandez-Truyol, Jiaying Jiang, Benjamin Johnson, Zachary Kaufman, Matthew Kim, Heather Kolinsky, Elizabeth Lear, Sabrina Lopez, Lynn LoPucki, Charlene Luke, Jonathan Marshfield, Merritt McAlister, Timothy McLendon, Silvia Menendez, Peter Molk, Jane O'Connell, Robert Rhee, Joan Stearns Johnsen, Stacey Steinberg, John Stinneford, Lee-ford Tritt, Derek Wheeler, Michael Wolf, Sarah Wolking, Danaya Wright, Wentong Zheng

PRESENT ON ZOOM: Donna Erez-Navot, Lea Johnston, Amy Stein

NOT PRESENT: Rachel Arnow-Richman, Derek Bambauer, Yariv Brauner, Annie Brett, Neil Buchanan, Karen Burke, Dennis Calfee, Charles Collier, Thomas Haley, Kristen Hardy, Mindy Herzfeld, Elizabeth-Ann Katz, Lyrissa Lidsky, Tracey Maclin, Pedro Malavet, Grayson McCouch, Lars Noah, Katheryn Russell-Brown, Paige Snelgro, Steven Willis

Meeting called to order at 12:03 pm

1. Action Item: Approve Faculty Meeting Minutes for January 23, 2024

Interim Dean McAlister presented, and faculty considered the faculty meeting minutes for January 23, 2024.

Outcome: Minutes were approved.

2. Information Item: Update from the Appointments Committee (Dean McAlister)

Interim Dean McAlister reported on entry-level appointments and discussed options for identifying future candidates.

Outcome: Information Item Only.

3. Information Item: Update from Faculty Council (Wright, Faculty Council)

Professor Wright reported that the committee is waiting to hear from the General Counsel's office on proposed changes to the faculty policy and that they are continuing to move forward.

Outcome: Information Item Only.

4. Information Item: Update on MSL program in Jacksonville hub (Dean McAlister)

Dean McAlister provided a history on the MSL program and discussed progress being made on creating in-person/online options to anchor the MSL program in the UF Jacksonville hub that is being developed.

Outcome: Information only.

5. Information Item: Upcoming Brown Bag Discussions (Dean McAlister)

Dean McAlister announce three upcoming brown bag luncheons: 1) Post-tenure review, 2) Tax Program updates, 3) Bar Support and Academic Success programs

Outcome: Information only.

Meeting adjourned at 12:32 pm.

Memorandum

To: Provost J. Scott Angle
From: University of Florida Levin College of Law Faculty
Date: March 5, 2024
Subject: College of Law Faculty's Proposed Modifications to the University's Draft Post-Tenure Review Standards

The College of Law faculty appreciates the opportunity to propose modifications to the draft post-tenure review ("PTR") standards submitted by the University on February 14, 2024 ("Draft PTR Standards"), including standards specific to the College of Law and university-wide standards as they pertain to the College of Law. The College of Law faculty has identified several concerns with the Draft PTR Standards. This memorandum outlines these concerns and proposes several modifications. A markup of the Draft PTR Standards showing the proposed modifications is attached to this memorandum.

1. The Use of Numerical Standards for Scholarly Output

The Draft PTR Standards contain numerical standards for scholarly output. The College of Law faculty believes that numerical standards can be too arbitrary and rigid to adequately account for the varied and diverse nature of scholarly work conducted by post-tenure law faculty.

We understand that the Draft PTR Standards were influenced by the College of Law's pre-tenure standards. Pre-tenure standards are numerical and heavily emphasize sole-authored law review articles in order to provide a level comparator for assessing the individual capacities of early-career law scholars and to ensure they have mastered certain basics of legal scholarship.

At the point when tenure is granted, however, it is presumed that law scholars have acquired mastery of basic legal scholarship. During the post-tenure period, law schools encourage faculty members to pursue a diverse array of research activities, which may vary starkly from one sub-specialty to the next within the field of law. The College of Law faculty confirmed this by studying the scholarly output of the tenured members at several highly ranked law schools. Leading law schools celebrate the diverse ways that faculty research interfaces not just with legal academia but with all facets of national, indeed international, intellectual inquiry.

There is no quantitative or qualitative standard that cuts across all legal disciplines and subspecialties. Additional confounding factors are: (1) some post-tenure law faculty members take advantage of the freedom afforded by tenure to take on long-term research projects; (2) some post-tenure law faculty members operate in fields where "high-quality" scholarship requires meticulous revision of manuscripts after multiple rounds of workshopping and editing of articles, while others work in regulatory- or policy-oriented fields where timeliness is determinative of impact; (3) certain types of legal scholarship, such as those involving historical research, foreign sources, interviews, surveys, and those that require acquisition of grants to fund the collection and analysis of datasets, often take much longer to produce than typical law articles published in law reviews.

The drawbacks of numerical standards in post-tenure reviews are also recognized by universities across the United States. The College of Law faculty asked the law library to compile information about the post-tenure review policies at peer U.S. law schools. Of the top

100 U.S. law schools ranked by the U.S. News & World Report, the law library identified 22 schools that require a post-tenure review process pursuant to publicly available standards. All but one of those 22 schools do not use numerical standards in their PTR process. As discussed below, the school that does employ a numerical standard, the University of Minnesota, allows high levels of flexibilities around the numerical standard.

2. Inappropriate and Unreasonably High Numerical Standards for Scholarly Output

The Draft PTR Standards require six or more scholarly works for “exceeds expectations,” 3 to 5 scholarly works for “meets expectations,” one to two scholarly works for “does not meet expectations,” and 0 scholarly works for “unsatisfactory.” The College of Law faculty believes that these thresholds should be revised downward.

The only peer U.S. law school that employs a numerical standard in post-tenure reviews, the University of Minnesota Law School (which is a peer law school at a major research university), requires two scholarly works in five years for post-tenure faculty and recognizes that there can be justified variations around that norm. Minnesota has the following policy:

The qualitative standards for evaluating scholarship, teaching, service, and integrity in section II, Criteria for Tenure, shall be used to evaluate the post-tenure scholarship, teaching, service, and integrity of a tenured faculty member during post-tenure review, but the candidate’s scholarship, teaching, and service should reflect the candidate’s greater seniority. It is expected that a tenured professor of law shall continue to contribute regularly and substantially to the Law School’s missions of research, teaching, and service. Normally, tenured faculty will continue to publish the equivalent of at least one substantial article every two years. As recognized in Faculty Tenure, however, some faculty members may “contribute more heavily to the accomplishment of one mission of the unit and others to the accomplishment of other missions.” Thus, there may be variations over time in the careers of individual faculty members as they may focus their contributions more in one or two domains among teaching, scholarship, and service.¹

The College of Law faculty believes that the final PTR standards should not have numerical standards more onerous than the one employed by the University of Minnesota. Accordingly, the College of Law faculty proposes lower numerical thresholds for the PTR standards.

3. Due Process Concerns

The imposition of a novel PTR process that evaluates performance retrospectively based on newly created standards raises serious due process problems. Tenured law faculty members perform multiple duties and make choices as to how best to allocate their time across

¹ University of Minnesota, Law School Statement of Standards for Tenure, Promotion, and Post-Tenure Review Required by Section 7.12 of the Regulations Concerning Faculty Tenure, Adopted September 25, 2007, Approved by the Senior Vice President for Academic Affairs and Provost October 15, 2007, Revised April 26, 2011, Revision Approved by the Senior Vice President for Academic Affairs and Provost June 28, 2011, at 6.

commitments. This includes determining how much time to devote to scholarship and in what form relative to other obligations. These choices are made based on individual perceptions of what constitutes the output of a productive tenured faculty member in a law school that is an integral part of a major research university. The imposition of new standards without significant advance notice disrupts past expectations formed before the imposition of clear and enforceable standards for post-tenure performance.

These concerns are compounded by recent administrative practices at the College of Law. Between 2018 and 2023, tenured College of Law faculty members typically did not receive written annual feedback from the Dean of the College of Law following their annual conference. Some may have received negative oral feedback, but the content and import of those communications are, understandably, unknown. If law faculty members did not receive feedback indicating the need to improve their scholarship, teaching, or services, subjecting these faculty members to a PTR process with entirely different standards does not comport with due process and is likely to invite litigation by any faculty member (university-wide) adversely affected.

Any PTR standards that will eventually be adopted will need to recognize the absence of any written negative annual reviews between the years 2018 and 2023.

4. Factors Unique to the College of Law

The College of Law faculty also identifies several factors unique to the College of Law that should be considered in evaluating faculty members' performance on research, teaching, and services. These factors are shown in mark-up in the attachment that follows.

In particular, the College of Law faculty requests that one University-Wide criterion on research grants be explicitly included as part of the College of Law standards. The criterion states:

“Where applicable, grant awards or external financial support commensurate with [each level of] performance.”

This criterion should be treated as a factor bearing on research productivity, in cases where College of Law faculty members have sponsored research projects.

ATTACHMENT

The College of Law Faculty’s Proposed Modifications (Shown in Tracked Changes) to the Draft PTR Standards

**College of Law Proposed Research Clarifications
February 14, 2024**

Note: The College of Law faculty supports the language of the standards the University proposed, with the following amendments.

A faculty member who **exceeds expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- ~~Three to five~~ high-quality, solo-authored articles, or the intellectual equivalent including coauthored articles, books, or other research products
- Evidence of a high level of professional impact, for example including regular participation in invited presentations at key meetings, conferences, or other venues; seminar presentations at major universities or state/federal agencies; professional awards; and citations to or critically acclaimed reviews of one’s scholarly work
- Leading and serving on national advisory committees for research foundations, federal agencies or other authoritative bodies
- Receipt of awards or recognition for excellence related to research or scholarship

Deleted: Six or more

A faculty member who **meets expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- ~~Two~~ high-quality, solo-authored articles, or the intellectual equivalent including coauthored articles, books, or other research products.
- Evidence of professional impact, for example including regular participation in invited presentations at key meetings, conferences, or other venues; seminar presentations at major universities or state/federal agencies; professional awards; and citations to or critically acclaimed reviews of one’s scholarly work

Deleted: Three to five

A faculty member who **does not meet expectations** exhibits the following performance characteristics over the prior 5 years:

- ~~One~~ high-quality, solo-authored article, or the intellectual equivalent including coauthored articles, books, or other research products
- Inconsistent evidence of professional impact, for example including regular participation in invited presentations at key meetings, conferences, or other venues; seminar presentations at major universities or state/federal agencies; professional awards; and citations to or critically acclaimed reviews of one’s scholarly work

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A faculty member who is **unsatisfactory** exhibits the following performance characteristics over the prior 5 years:

- Substantial and chronic deficiencies or failure to meet expectations in research or scholarship as expected, with minimal to no efforts to follow previous advice or other efforts to make corrections
- No high-quality, solo-authored articles, or the intellectual equivalent including coauthored articles, books, or other research products
- Absence of professional impact, for example as measured by regular participation in invited presentations at key meetings, conferences, or other venues; seminar presentations at major universities or state/federal agencies; professional awards; and citations to or critically acclaimed reviews of one's scholarly work

The assessment of a College of Law faculty member's post-tenure research performance shall be subject to the following requirements:

1. For post-tenure reviews conducted in the years 2024-2029, College of Law faculty members will be placed in the "meets expectations" or "exceeds expectations" categories if they did not receive a negative, written evaluation of their scholarship, teaching, or service efforts from the College of Law dean in at least three of the preceding five years.

2. When the number of scholarly works does not meet a numerical threshold, allow evidence of particularly high quality and/or particularly high scholarly impact to explain the lack of quantity. Such evidence includes, but is not limited to:

- Peer evaluations of scholarly works, both internal and external.
- Citations, testimony before legislative and regulatory bodies, and legislative adoption.

3. When the number of scholarly works does not meet a numerical threshold, the faculty member undergoing post-tenure review will be permitted to provide evidence explaining longer-than-usual timeframes to conduct the type of legal studies involved. Such evidence includes, but is not limited to:

- Legal research requiring travel to archives and/or translation from foreign languages
- Empirical legal studies requiring IRB approvals
- Empirical legal studies requiring collection and analysis of large-scale datasets

4. When the number of scholarly works does not meet a numerical threshold, allow evidence of sustained efforts toward high-quality scholarship that has not yet resulted in final work products, to explain the lack of quantity. Such evidence includes, but is not limited to:

- Drafts of works in progress
- Workshopping and peer commentary processes underway

5. Allow evidence of excellence in teaching and services to compensate for the lack of research quantity.

6. Accepted and forthcoming works should count as published works for PTR purposes.

o Note: This is customary in the legal field where long publication lags are common. Legal scholarly works are not subject to the publication embargoes common in other academic disciplines, are freely disseminated via online sites like SSRN, and are regularly cited as forthcoming works before they appear in print.

7. Where applicable, grant awards or external financial support commensurate with the required level of performance should be treated as a factor bearing on research productivity, in cases where College of Law faculty members have sponsored research projects.

Teaching & Services

In addition to the factors outlined in the University-Wide criteria, the following factors should be considered in the evaluation of the College of Law faculty's teaching and services:

1. Faculty support for students, such as recommendation letters, service as an advisor to student journals or groups, participation in student events and recruitment of new law students.

2. Internal services to the College of Law and UF, in addition to the national and other external service included in the existing University College of Law proposal.

University-Proposed PTR Standards supplied on February 14, 2024

Below are the standards the University proposed on February 14, 2024. They consist of two documents which were to be read together:

- I. College of Law Proposed Research Clarifications
- II. Post-Tenure Review: University-Wide Criteria

The PTR Standards Subcommittee was told that the Post-Tenure Review University-Wide Criteria (Item II) apply to Law Faculty, but they apply as amended by the College of Law Proposed Research Clarifications (Item I). However, there was conflicting evidence about this, because some of the specific elements from Item II University-Wide standards were expressly incorporated into the University's proposal for Item I College of Law standards, suggesting that elements from the University-Wide criteria need to be incorporated into our College of Law standards if we want to make sure they will be considered.

I. College of Law Proposed Research Clarifications (proposed February 14, 2024)

A faculty member who **exceeds expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- Six or more high-quality, solo-authored articles, or the intellectual equivalent including coauthored articles, books, or other research products
- Evidence of a high level of professional impact, for example including regular participation in invited presentations at key meetings, conferences, or other venues; seminar presentations at major universities or state/federal agencies; professional awards; and citations to or critically acclaimed reviews of one's scholarly work
- Leading and serving on national advisory committees for research foundations, federal agencies or other authoritative bodies
- Receipt of awards or recognition for excellence related to research or scholarship

A faculty member who **meets expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- Three to five high-quality, solo-authored articles, or the intellectual equivalent including coauthored articles, books, or other research products.
- Evidence of professional impact, for example including regular participation in invited presentations at key meetings, conferences, or other venues; seminar presentations at major universities or state/federal agencies; professional awards; and citations to or critically acclaimed reviews of one's scholarly work

A faculty member who **does not meet expectations** exhibits the following performance characteristics over the prior 5 years:

- One to two high-quality, solo-authored articles, or the intellectual equivalent including coauthored articles, books, or other research products

- Inconsistent evidence of professional impact, for example including regular participation in invited presentations at key meetings, conferences, or other venues; seminar presentations at major universities or state/federal agencies; professional awards; and citations to or critically acclaimed reviews of one's scholarly work

A faculty member who is **unsatisfactory** exhibits the following performance characteristics over the prior 5 years:

- Substantial and chronic deficiencies or failure to meet expectations in research or scholarship as expected, with minimal to no efforts to follow previous advice or other efforts to make corrections
- No high-quality, solo-authored articles, or the intellectual equivalent including coauthored articles, books, or other research products
- Absence of professional impact, for example as measured by regular participation in invited presentations at key meetings, conferences, or other venues; seminar presentations at major universities or state/federal agencies; professional awards; and citations to or critically acclaimed reviews of one's scholarly work

II. **Post-Tenure Review: University-Wide Criteria (proposed February 14, 2024)**

For distribution to units not covered by the Collective Bargaining Agreement

Tenured faculty at the University of Florida are expected to demonstrate sustained distinction through professional achievements in at least two mission areas, typically (1) research and (2) teaching; however, patient care, service, or extension are appropriate areas of distinction as reflected in the annual assignment. During the post-tenure review process the University will review the cumulative level of accomplishment and productivity over the previous five years relative to the faculty member's assigned duties in research, teaching, and service, including extension, clinical, and administrative assignments. In addition, the University will review the faculty member's professional conduct and performance of their academic responsibilities.

The university provides this guiding document to outline general quantifiable criteria for assignment of performance ratings. Each faculty member will be assigned a single overall rating among the following four options: exceeds expectations; meets expectations; does not meet expectations; unsatisfactory.

The following evaluation scale describes the university-wide general expectations across disciplines for evaluation of post-tenure performance for implementation of Board of Governors' regulation 10.003. Faculty are not necessarily 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 examples of the behaviors are relevant.

1. Research Criteria

A faculty member who **exceeds expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- 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 or external financial support commensurate with excellent performance
- Evidence of a high level of professional impact, for example including regular participation in invited presentations, exhibits, commissions, or performances at key meetings, conferences, or other venues within one's field; seminar presentations at major research universities or state/federal agencies; professional awards; and citations to or 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, scholarship or creative works

A faculty member who **meets expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- 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 or external funding commensurate with other faculty in the discipline
- Evidence of professional impact, for example including regular participation in invited presentations, exhibits, commissions, or performances at key meetings, conferences, or other venues within one's field; seminar presentations at major research universities or state/federal agencies; and citations to or reviews of one's scholarly work

A faculty member who **does not meet expectations** exhibits the following performance characteristics over the prior 5 years:

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

major research universities or state/federal agencies; and citations to or reviews of one's scholarly work

A faculty member who is **unsatisfactory** exhibits the following performance characteristics over the prior 5 years:

- Substantial and chronic deficiencies or failure to meet expectations in research, scholarship, or creative works as expected in the faculty member's discipline, with minimal to no efforts to follow previous advice or other efforts to make corrections
- Deficiencies in the quantity and quality of research or other scholarship or creative works that are substantially below typical productivity of faculty in the faculty member's discipline at AAU institutions
- Where applicable, lack of grant awards or external funding to support research in the discipline
- Absence of professional impact, for example as measured by regular participation in invited presentations, exhibits, commissions, or performances at key meetings, conferences, or other venues within one's field; seminar presentations at major research universities or state/federal agencies; and citations to or reviews of one's scholarly work

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

2. 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 over the prior 5 years, including the following:

- Student teaching evaluations consistently exceeding each of the following, contextualized and adjusted, as appropriate, for 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 indicating excellence in teaching
- Demonstrating pedagogical or curricular innovation enhancing student learning
- Contribution to educational scholarship
- Awards for excellence in teaching or mentoring
- Teaching certificates and significant commitment to pedagogical professional development
- Leadership in regional, national or international educational societies or boards of the candidate's field

- Contribution to funding educational programs through external sources (e.g., grants, foundation, or industry support)

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 over the prior 5 years, including the following:

- Student teaching evaluations consistently exceeding the lower of the following, contextualized and adjusted, as appropriate, for 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)

A faculty member who **does not meet expectations** exhibits the following performance characteristics over the prior 5 years:

- Both of the following, contextualized and adjusted, as appropriate, for 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 3.7 in any course with a greater than 10% response rate
- In cases in which student responses fall below the 10% minimum requirements also exhibit:
 - Record of student evaluations response rates consistently below the department average
 - Absence of peer assessments of teaching, or peer assessments of teaching which fail to document 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)
- Inconsistent acceptance of assignments to meet the teaching needs of the department/unit

A faculty member who is **unsatisfactory** exhibits the following performance characteristics over the prior 5 years:

- Disregard, failure or minimal efforts to follow previous advice or other efforts to provide correction

- Both of the following, contextualized and adjusted, as appropriate, for 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, 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
- Repeated failure to meet expected performance in teaching as evidenced by missed lectures, late grade submissions, or student complaints related to teaching
- Minimal attempts to mentor or advise or poor mentoring/advising of undergraduate, graduate or professional students

3. Service Criteria

A faculty member who **exceeds expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- Leadership roles or national/international impact on external professional organizations, federal agencies/foundations or conferences.
- Outstanding participation and leadership within the university, including in college or university faculty governance
- Editorial role(s) for prestigious peer-reviewed journals and academic presses
- Judging or jurying prestigious exhibitions
- Contribution to funding service-related programs through external sources (e.g., 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 over the prior 5 years:

- 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, 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 prior 5 years:

- Poor attendance or engagement in assigned service duties (e.g., failure to attend >50% of meetings) or faculty shared governance
- 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 prior 5 years:

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

4. Clinical Criteria

A faculty member who **exceeds expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- Clinical productivity, as measured by RVU's or other appropriate measures, consistently exceeds unit targets
- Leadership roles or national/international impact on clinical organizations, federal agencies/foundations or conferences
- Holding a leadership role in nationally funded collaborative network
- Invited professorships at other academic institutions
- Demonstrating clinical innovation (e.g., game-changing healthcare, creating a nationally/internationally emulated program, etc.)
- Innovation in practice methods, development of new programs and leadership in safety and quality initiatives
- Awards or recognition for excellence related to clinical performance
- Regular patient referral from national or international area

A faculty member who **meets expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- Clinical productivity, as measured by RVU's or other appropriate measures, consistently meets unit targets
- Significant clinical 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 safety and quality initiatives
- Routine and highly regarded clinical presentations that inform the local or regional practice community

- Patient satisfaction scores that fall within the normal range of variation in performance compared to faculty across the faculty member's department and college and evidence of a sustained and successful commitment to high-quality patient care
- Patient referrals from a regional, national or international area
- Satisfactory communication with clients and colleagues

A faculty member who **does not meet expectations** exhibits the following performance characteristics over the prior 5 years:

- Clinical productivity, as measured by RVU's or other appropriate measures, consistently does not meet unit targets
- Clinical program of insufficient quality relative to the mission and community needs
- Patient satisfaction scores that routinely fall below the normal range of variation in performance compared to faculty across the faculty member's department and college
- Lack of evidence of a sustained and successful commitment to high-quality patient care
- Failure to report for clinical shifts or respond to phone calls during emergency duty
- Evidence of poor communication with clients or colleagues
- Multiple adverse event reports directly related to care provided by the practitioner

A faculty member who is **unsatisfactory** exhibits the following performance characteristics over the prior 5 years:

- Clinical productivity, as measured by RVU's or other appropriate measures, consistently falls substantially below unit targets
- Disregard, failure or minimal efforts to follow previous advice or other efforts to provide correction
- Minimal efforts or failure to participate in assigned clinical duties
- Evidence of unsatisfactory quality of practice including either lack of competence or effort in patient care/diagnostic service

5. Extension Criteria

A faculty member who **exceeds expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- Leadership roles or national/international impact on extension organizations, federal agencies/foundations or conferences
- Extension program recognized at national level
- EDIS publications of quality and quantity on par with the top quintile of performers in the faculty member's discipline
- Grant awards or external financial support commensurate with excellent extension performance
- Awards or recognition for excellence related to extension programming

A faculty member who **meets expectations** is generally expected to have produced evidence of the following over the prior 5 years:

- Develops and carries out an extension program relevant to mission of the college and needs of county faculty and/or clientele
- Measurable goals for and documents outcomes and impacts of extension programs
- Documents scholarship and application of extension programs by regularly publishing in appropriate venues and reporting outcomes and impacts
- Seeks and procures external funds to support and advance extension programs

A faculty member who **does not meet expectations** exhibits the following performance characteristics over the prior 5 years:

- Extension program of insufficient quality and quantity relative to the mission and community needs.
- Not a leader or coordinator of educational/extension programs
- Poor or irregular participation in educational/extension programs in a role other than leader or coordinator
- Irregular publication of extension manuscripts (EDIS) or lay audience publications (1-2 in 5 years)
- No evidence of active membership in industry/ professional organizations
- Irregular public speaking engagements (in person, podcasts, radio, distance learning, webinars, etc.)
- Irregular or non-impactful extension consultation visits (<10 in 5 years)

A faculty member who is **unsatisfactory** exhibits the following performance characteristics over the prior 5 years:

- Disregard, failure or minimal efforts to follow previous advice or other efforts to provide correction
- Minimal efforts or failure to participate in assigned extension duties

6. 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.

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 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 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.

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.