



## Ohio Administrative Code Rule 3362-2-28 Post-tenure review.

Effective: December 26, 2025

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### (A) Purpose

This rule establishes a post-tenure review process at Shawnee state university that is in accordance with section 3345.453 of the Revised Code. This rule includes institutional compliance with statutory requirements while preserving principles of due process and academic freedom.

### (B) Definitions

A post-tenure review is focused on offering pathways and opportunities for improvement to address identified deficiencies in teaching, research, scholarship, service, commercialization, administration, and/or clinical care.

A post-tenure review is not meant to address cases of gross negligence of duties, incompetence in job performance, a significant failure to meet obligations to the university, or any other conduct or action addressed by the complaint process in the faculty collective bargaining agreement. Corrective action for these situations should be addressed through the complaint process.

### (C) Scope

This rule applies to all full-time, tenured Shawnee state university faculty members.

### (D) Requirements and conditions for conducting post-tenure review

(1) Shawnee state university will conduct a post-tenure review if a tenured faculty member receives a rating of "does not meet performance expectations" within the same performance area for a minimum of two of the past three consecutive years on the faculty member's annual performance evaluation conducted pursuant to policy 2.26 and section 3345.452 of the Revised Code.



(2) Any faculty member who maintains their tenure status following a post-tenure review and receives an additional rating of "does not meet performance expectations" in any performance area during their annual performance evaluation in the subsequent two years will be subjected to an additional post-tenure review.

(3) The department chair, school director, college dean (or equivalent administrator), or provost may require an immediate and for cause post-tenure review at any time for a faculty member who has a documented and sustained record of significant underperformance outside of the faculty member's annual performance evaluation. For this purpose, for cause shall not be based on a faculty member's allowable expression of academic freedom as defined by Shawnee state university, the faculty collective bargaining agreement, or Ohio law.

(E) Timeframe for post-tenure review

(1) No later than September fifteenth of the fall semester following the triggering of a post-tenure review requirement, the department chair/school director and college dean will establish a post-tenure review committee.

If an appeal has been filed regarding the triggering of the post-tenure review, the post-tenure review will be delayed until the appeal has been resolved.

(2) Once established, the post-tenure review committee must meet within twenty working days.

(3) The post-tenure review committee will schedule a conference with the reviewee within ten working days of the first meeting of the post-tenure review committee.

(4) Within ten working days of the conference with the faculty member, the post-tenure review committee will submit their summary and recommendation to the provost.

(5) Within ten working days of receiving the post-tenure review committee recommendations, the provost shall either forward all previous materials submitted during the review and their recommendation for no administrative action to the administrative post-tenure review board (see paragraph (H) of this rule), or will schedule a conference with the reviewee if administrative action



has been recommended.

(6) If administrative action is recommended, within five working days of the provost conference, the provost will forward their recommendation and all previous materials submitted during the review process to the administrative post-tenure review board.

(7) The administrative post-tenure review board shall meet within five working days of receiving the provost recommendation and determine the outcome of the post-tenure review within ten working days of their meeting. Within an additional two working days, the review board will notify the faculty member of the outcome in writing.

(8) The university president will provide a written decision on the appeal no later than ten working days following filing of the appeal.

(9) The due process period for post-tenure review, from beginning to end, shall not exceed six months, except that a one-time, two-month extension may be granted by the university president.

(F) Post-tenure review committee

(1) The post-tenure review committee shall consist of the department chair/school director, a tenured full-professor from the reviewee's department appointed by the dean, and two tenured faculty members chosen by the reviewee. One of the faculty members selected by the reviewee must be from their home department.

(2) All faculty members of the post-tenure review committee must be tenured. If there are not enough full professors with tenure in the department, an associate professor may be appointed by the dean.

(3) The dean and department chair/school director will provide information and documentation regarding the need for the post-tenure review to the post-tenure review committee. This shall be reviewed at the first meeting of the committee.

Following review of the provided information, the post-tenure review committee will hold a



conference with the faculty member undergoing review.

(4) The post-tenure review committee shall summarize their findings and recommend to the provost whether documented deficiencies in the performance area exist.

(G) Role of the provost

(1) The provost shall review the summary and recommendation of the post-tenure review committee. If the committee has recommended deficiencies exist that require administrative action, the provost will schedule a meeting with the reviewee.

(a) If no administrative action is recommended, and the provost agrees, then no meeting with the reviewee is required.

(b) Following a required meeting with the reviewee, the provost may seek clarification from the post-tenure review committee as needed.

(2) Once the provost has a recommendation, all materials submitted to-date in the post-tenure review process will be forwarded with the provost's recommendation to the administrative post-tenure review board.

(H) Outcomes of post-tenure review

(1) The administrative post-tenure review board will be composed of all college deans.

(2) The administrative post-tenure review board will review all materials and recommendations forwarded from the provost and make a final recommendation on the outcome of the post-tenure review. A simple majority of votes by the board is required to enact administrative actions.

The review board may schedule meetings with any party involved to-date in the post-tenure review process, as needed.

(3) The administrative actions may include:



- (a) Censure,
- (b) Remedial training, including an improvement plan,
- (c) For-cause termination, regardless of tenure status.

(I) Appeals process

- (1) For any of the administrative actions in paragraph (H)(3) of this rule, the reviewee may file an appeal in writing to the university president.
- (2) The appeal must allege procedural error; present substantial new facts previously unavailable to the post-tenure review committee, provost, or administrative post-tenure review board; or claim that the administrative action is grossly disproportionate to the deficiency in performance.
- (3) The university president may:
  - (a) Request additional information from any party involved in the post-tenure review process;
  - (b) Dismiss the appeal if not based on one of the allowable grounds for appeal; or
  - (c) Uphold or reject the decision of the administrative post-tenure review board.
- (4) The university president's decision will be made in writing and will be final.

(J) Prevailing provisions

- (1) Until August 22, 2027, the 2024-2027 collective bargaining agreement between Shawnee state university and the Shawnee education association article eleven section fifteen post-tenure review prevails over any conflicting provisions adopted in this rule.
- (2) Beginning August 23, 2027, this rule, post-tenure review prevails over any conflicting provisions



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of a collective bargaining agreement entered into after August 22, 2027.