STANDARD ADMINISTRATIVE PROCEDURE

12.06.99.M0.01 Post-Tenure Review

Approved November 13, 2006
Revised July 14, 2014
Next scheduled review: July 14, 2019

Procedure Statement

Post-tenure review at Texas A&M University applies to tenured faculty members and is comprised of annual performance reviews by the department head (or individual responsible for conducting the annual evaluation) as well as a comprehensive review by a committee of peers that occurs not less frequently than once every six years. Post-tenure review is intended to promote continued academic professional development and enable a faculty member who has fallen below performance norms to pursue a peer-coordinated professional development plan and return to expected levels of productivity.

This procedure does not supersede University Statement on Academic Freedom, Responsibility, Tenure, and Promotion (12.01.99.M2) that defines tenure policies and the process under which dismissal for cause proceedings may be initiated.

Official Procedure/ Responsibilities/ Process

1. ANNUAL REVIEW

Annual reviews of performance are to be conducted for all faculty members and must result in a written document stating the department head’s evaluations of performance in scholarship, teaching, service, and other assigned responsibilities (12.01.99.M2). In addition, the expectations for the ensuing evaluation period for each faculty member, commensurate with his or her rank and seniority, must also be in the document.

1.1 In each department or college, stated criteria for categories of performance to be assessed in the annual review will be established by departmental or college faculty and approved by department head, dean, and Dean of Faculties. The categories established will range from “most meritorious” to “unsatisfactory” by departmental standards.

1.2 An annual review resulting in an unsatisfactory performance shall state the basis for the ranking in accordance with the criteria. Each unsatisfactory review should be reported to the dean.
1.3 The report to the dean of each unsatisfactory performance evaluation should be accompanied by a written plan, developed by the faculty member and department head, for near-term improvement. If deemed necessary, due to an unsatisfactory annual evaluation, the department head may request a Comprehensive Peer Review (section 2) or Professional Review of the faculty member (section 3).

1.4 For tenured faculty with budgeted joint appointments, department heads or program directors of the appropriate units will collaborate to develop accurate annual reports (12.01.99.M2).

2. COMPREHENSIVE PEER REVIEW

As part of the post-tenure review process a review by a committee of peers must occur not less frequently than once every six years. If the peer review is incorporated into the annual review, then a comprehensive peer review is not necessary.

2.1 The purpose of the comprehensive peer review is to:

2.1.1 provide guidance for continuing and meaningful faculty development;

2.1.2 assist faculty to enhance professional skills and goals;

2.1.3 refocus academic and professional efforts, when appropriate; and

2.1.4 assess whether the individual is making a contribution consistent with that expected of a tenured faculty member.

2.2 Departments and/or colleges must have post-tenure review guidelines which will clearly state:

2.2.1 how peer evaluation of performance is incorporated in the comprehensive peer review process. For example, departments may have peer committees to advise the department head for annual reviews, or departments may have post-tenure review committees;

2.2.2 criteria for categories of performance, which must be in agreement with those established for annual review;

2.2.3 review procedures and timelines;

2.2.4 materials to be reviewed.

2.3 A report of unsatisfactory performance in a comprehensive peer review shall state the basis for that finding in accordance with the criteria described in the
guidelines. An unsatisfactory review will trigger the initiation of a professional review plan (see below).

2.4 For tenured faculty with budgeted joint appointments, comprehensive evaluation will be conducted as per the post-tenure review guidelines of the department or program where the faculty holds the majority of the appointment (ad loc) unless the faculty member request to be reviewed by both units. If reviewed only by the primary department the department head will share the report with the department head of the secondary department.

3. PROFESSIONAL REVIEW

3.1 A professional review will be initiated when a tenured faculty member receives three consecutive unsatisfactory annual reviews (section 1) or an unsatisfactory comprehensive peer review (section 2) or upon request by the department head (section 1) or faculty member (section 6). The department head will inform the faculty member that he or she is subject to professional review, and of the nature and procedures of the review. A faculty member can be exempted from review upon recommendation of the department head and approval of the dean when substantive mitigating, circumstances (e.g. serious illness) exist. The faculty member may be aided by private legal counsel or another representative at any stage during the professional review process.

3.1.1 The purposes of professional review are to: identify and officially acknowledge substantial or chronic deficits in performance; develop a specific professional development plan by which to remedy deficiencies; and monitor progress toward achievement of the professional development plan.

3.1.2 The professional review will be conducted by an ad hoc review committee (hereafter referred to as the review committee), unless the faculty member requests that it be conducted by the department head. The three member ad hoc faculty review committee will be appointed by the dean, in consultation with the department head and faculty member to be reviewed. When appropriate, the committee membership may include faculty from other departments, colleges, or universities.

3.1.3 The faculty member to be reviewed will prepare a review dossier by providing all documents, materials, and statements he or she deems relevant and necessary for the review within one month of notification of professional review. All materials submitted by the faculty member are to be included in the dossier. Although review dossiers will differ, the dossier will include at minimum current curriculum vitae, a teaching portfolio, and a statement on current research, scholarship, or creative work.
3.1.4 The department head will add to the dossier any further materials he or she deems necessary or relevant to the review of the faculty member's academic performance. The faculty member has the right to review and respond in writing to any materials added by the department head with the written response included in the dossier. In addition, the faculty member has the right to add any materials at any time during the review process.

3.1.5 The professional review will be made in a timely fashion (normally within three months after submission of the dossier). The professional review will result in one of three possible outcomes:

3.1.5.1 no deficiencies identified. The faculty member, department head, and dean are so informed in writing, and the outcome of the prior annual review is superseded by the ad hoc committee report,

3.1.5.2 some deficiencies are identified but are determined not to be substantial or chronic. The review committee specifically elaborates the deficiencies in writing and a copy is provided to the faculty member, the department head, and the dean to better inform the near term improvement plan of Section 1.3,

3.1.5.3 substantial or chronic deficiencies are identified. The review committee specifically elaborates the deficiencies in writing and a copy is provided to the faculty member, department head, and dean. The faculty member, review committee, and department head shall then work together to draw up a professional development plan (see section 4) acceptable to the dean.

4. THE PROFESSIONAL DEVELOPMENT PLAN

4.1 The Professional Development Plan shall indicate how specific deficiencies in a faculty member's performance (as measured against stated departmental criteria developed under the provision of this procedure) will be remedied. The plan will grow out of collaboration between the faculty member, the review committee, the department head and the dean, and should reflect the mutual aspirations of the faculty member, the department, and the college. The plan will be formulated with the assistance of and in consultation with the faculty member. It is the faculty member's obligation to assist in the development of a meaningful and effective plan and to make a good faith effort to implement the plan adopted.

Although each professional development plan is tailored to individual circumstances, the plan will:

4.1.1 identify specific deficiencies to be addressed;

4.1.2 define specific goals or outcomes necessary to remedy the deficiencies;
4.1.3 outline the activities to be undertaken to achieve the necessary outcomes;

4.1.4 set time lines for accomplishing the activities and achieving intermediate and ultimate outcomes;

4.1.5 indicate the criteria for assessment in annual reviews of progress in the plan;

4.1.6 identify institutional resources to be committed in support of the plan.

4.2 Assessment.

The faculty member and department head will meet annually to review the faculty member's progress toward remedying deficiencies. A progress report will be forwarded to the review committee and to the dean. Further evaluation of the faculty member's performance within the regular faculty performance evaluation process (e.g. annual reviews) may draw upon the faculty member's progress in achieving the goals set out in the professional development plan.

4.3 Completion of the Plan.

4.3.1 When the objectives of the plan have been met or the agreed timeline exceeded, or in any case, no later than three years after the start of the development plan, the department head shall make a final report to the faculty member and dean. The successful completion of the development plan is the positive outcome to which all faculty and administrators involved in the process must be committed. The re-engagement of faculty talents and energies reflects a success for the entire University community.

4.3.2 If, after consulting with the review committee, the department head and dean agree that the faculty member has failed to meet the goals of the professional development plan and that the deficiencies in the completion of the plan separately constitute good cause for dismissal under applicable tenure policies, dismissal proceedings may be initiated under applicable policies governing tenure, academic freedom, and academic responsibility.

5. APPEAL

If at any point during the procedure the faculty member believes the provisions of this procedure are being unfairly applied, a grievance can be filed under the provisions of University Rule 12.01.99.M4 "Faculty Grievance Procedures Not Concerning Questions of Tenure, Dismissal, or Constitutional Rights."

If the faculty member wishes to contest the professional review committee's finding of substantial or chronic deficiencies, the faculty member may appeal the finding to the
dean, whose decision on such an appeal is final. If the faculty member, department head, and review committee fail to agree on a professional development plan acceptable to the dean, the plan will be determined through mediation directed by the Dean of Faculties and Associate Provost.

6. VOLUNTARY POST-TENURE REVIEW

A tenured faculty member desirous of the counsel of a professional review committee in evaluating his or her career may request such counsel by making a request to the department head.

Related Statutes, Policies, or Requirements

Supplements System Policy 12.06

Contact Office

Office of the Dean of Faculties
Policy Statement

Each university (academic institution) of The Texas A&M University System (system) must periodically evaluate the performance of tenured faculty in accordance with this policy.

Reason for Policy

State law requires that a policy be adopted to establish a process for evaluating the performance of tenured faculty.

Procedures and Responsibilities

1. POST-TENURE REVIEW

Subsequent to the award of tenure, the performance review of a faculty member provides a mechanism to gauge the productivity of the individual and should be designed to encourage a high level of sustained performance. Post-tenure evaluations are made on the basis of typical criteria and factors such as those listed below and shall occur no more often than once every year, but not less often than once every six years after the date of the award of tenure. Not all departments will use the same weighting of each factor and these may be different depending on the faculty member's specific role and responsibilities within a college.

Teaching Effectiveness at the Undergraduate, Graduate and Professional Student Levels (See System Policy 12.02, Institutional Procedures for Implementing Tenure, for consistency)

- Course content, complexity, level of expertise.
- Performance of students in subsequent courses.
- Content, quality and faculty use of the syllabus.
- Student evaluations of the instructor.
- Teaching innovations.
- Peer evaluations.
- Direction of dissertations and theses.
• Awards, honors and other recognitions.
• Development of online courses.

Research, Creative Activities, and Other Scholarly Endeavors

• Published works - books, journal articles, reviews, research and technical reports, electronic and digital materials.
• Shows, exhibits, displays, and performances of artistic works and talents.
• Professional evaluations of scholarly activities appropriate to discipline.
• Research grants, contracts, and other evidence of competitive support for the research.
• Invited papers and other presentations.
• Editorial contributions.
• Awards, honors and other recognitions.

Student Advising, Counseling, and Other Student Services

• Responsibilities for undergraduate, graduate and professional student advising.
• Reputation regarding advising and contributions to student development.
• Participation in student organizations and other activities.
• Accessibility to students.

Committee and Administrative Service to University

• Nature and importance of committee involvement.
• Ideas and original contributions to university community.
• Offices held and other evidence of leadership.

Service to Profession, Community, State or Nation

• Involvement in professional societies including leadership positions.
• Governmental committee or commission appointments.
• Academic and professional consulting activities.
• Quality of patient care, where applicable.
• Contributions to community programs and activities.
• Speeches and other presentations utilizing expertise.
• Awards, honors and other recognitions.

Quality of Patient Care, where applicable

Patents or Commercialization of Research, where applicable

Appropriate documentation is required to provide independent verification of the credentials being presented to support the criteria being evaluated.
2. TEACHING EFFECTIVENESS

Teaching effectiveness is essential for every faculty member, and teaching is an integral part of the mission of every system academic institution. A broad range of approaches to ensure teaching effectiveness should be developed and would include some of the following techniques currently in place or under consideration by system academic institutions:

(a) Institutional requirements for faculty including:

   (i) course syllabi including list of topics to be covered during the semester, specific course objectives, types of activities for the course, student evaluation procedures, and required reading assignments;

   (ii) faculty attendance in class; and

   (iii) adherence to system, institutional and departmental policies.

(b) Peer observation of classroom performance.

(c) Departmental, college and institutional workshops on effective teaching.

(d) Video taping of classroom performance for review and analysis by faculty.

(e) Portfolio assessment by departmental review committee.

(f) On-campus technology centers and other innovative programs designed to educate and support faculty in their efforts to integrate new technology into their teaching.

(g) Departmental in-service training.

(h) Senior faculty to serve as mentors for junior, new faculty.

(i) Quality of instructional outcomes assessment by current and former students, employers of graduates, and faculty in graduate and professional schools attended by graduates.

Related Statutes, Policies, or Requirements

Tex. Educ. Code § 51.942

Member Rule Requirements

No rule is required to supplement this policy.

Contact Office

Office of Academic Affairs
(979) 458-6072
Auburn University Post-Tenure Review Policy

The purpose of post-tenure review at Auburn University is to enhance public trust in the University by ensuring that the faculty holds itself accountable to high professional standards.

Provost's Policy for a Triggered PTR Mechanism Commencing in 2008

I. Purpose

This document, prepared by the Provost's Office after consultation with faculty leadership, outlines the post-tenure review policy to be used by the Office of the Provost beginning with the 2008-2009 academic year. Post-tenure review (PTR) is intended to support faculty development and productivity. It considers the professional quality with which faculty members discharge the academic duties associated with their positions. It does not consider whether the previously tenured faculty member would meet current standards for the awarding of tenure. The policy on post-tenure review is not a dismissal policy and should not be viewed as such; the University's Dismissal Policy appears in Section 16 of Chapter 3 of the Faculty Handbook.

The purpose of post-tenure review at Auburn University is to enhance public trust in the University by ensuring that the faculty holds itself accountable to high professional standards. As chief academic officer of Auburn University, it is the responsibility of the provost—with advice from faculty leadership—to formulate, implement, enforce, and review and revise as needed the University's policy and procedures for post-tenure review. Post-tenure review is a natural extension of Auburn University's process of annual faculty evaluation as specified in the Faculty Handbook. PTR requires tenured faculty whose annual overall performance is found unacceptable twice within any six-year period to undergo more extensive review, prepare a written plan for performance improvement, implement this plan, and show progress in restoring performance to a satisfactory (or even exemplary) level.

II. Background

Post-tenure review policies have been adopted at many institutions of higher education across the USA in an effort to restore public trust in academics. The American Association for Higher Education has tracked the progress and results of PTR in a series of comprehensive reports (Licata & Morreale, 2002; Licata & Brown, 2004; Licata & Morreale, 2006), and the American Association of University Professors (1999) has provided helpful commentary on procedures for PTR. There are two primary mechanisms for PTR. Universal PTR reviews all tenured faculty members within the university across a set period of time. Triggered PTR, on the other hand, calls for more extensive review of only those tenured faculty members whose annual reviews document deficiencies that need to be addressed. Both systems can be effective, but triggered systems are far more efficient in terms of effort, time, and cost. In order for a triggered system to be effective, however, a university must already have implemented an effective annual review system for faculty, given that the annual review serves as the trigger mechanism for post-tenure review.
During the 2006-2007 academic year the provost of Auburn University implemented a universal PTR mechanism on a pilot basis. This decision was made because an audit of AU's existing faculty review system indicated that considerable improvement in the process of annual evaluation was necessary before AU could move to a triggered mechanism. In 2007 the provost mandated minimum standards for faculty evaluation in every department, and a second audit of the faculty annual review process showed considerable improvement in methods used across the University. Before the 2007-2008 academic year the provost provided mandatory training for all department heads/chairs in how to conduct faculty annual reviews, but retained the universal PTR mechanism for one more year. Post-tenure review was carried out successfully in 2007-2008, but the universal mechanism proved to be cumbersome, time consuming, expensive, and inefficient. The clear improvement of the faculty annual review process now makes implementation of the more efficient trigger mechanism feasible at Auburn University. Thus the 2008-2009 PTR process will be one whereby more extensive review and planning is triggered by an overall unacceptable performance evaluation as documented during the faculty annual review process.

III. Faculty Annual Review

The faculty annual review process for Auburn University is described as follows in Chapter Three of the Faculty Handbook:

All department heads and unit heads shall conduct at least one yearly review before April 30 with each faculty member to evaluate his or her performance and to discuss his or her future development. In order to review the faculty member fairly, the head shall request a current vita and any supporting material the head or the faculty member deems appropriate prior to the review. More frequent reviews may be conducted at the discretion of the faculty member or the department head.

In the case of faculty members who have not achieved tenure or promotion to associate professor or professor, particular care shall be taken by the department head to relate the faculty member's job performance to the promotion and tenure criteria set forth in this document. Significant achievements or deficiencies which might enhance or impede the candidate's progress toward higher academic rank or tenure shall be noted.

The head shall prepare a written report covering the major points of the conference. A copy of the report shall be provided to the faculty member within a month of the conference. The faculty member shall be asked to sign it as confirmation of having seen it. If the faculty member does not agree with material in the report, he or she may write a response to be appended to the report. One copy of the signed report and response, if there is one, is to be retained for the faculty member's departmental personnel file; another copy is to be given to the faculty member. This report is to remain confidential, available only for the use of the concerned faculty member and any University officials who have supervisory power over the faculty member.
The annual review process described above applies to all tenure-track faculty members at AU, including those who have already earned tenure, with the exception of faculty members holding full-time administrative assignments, who are evaluated using a different mechanism. It is an implicit assumption within this process that faculty members whose performance is found to be below expectations during the annual review will take the steps needed to restore performance to a satisfactory (or exemplary) level.

The following are the minimum standards for departmental/school/college faculty annual reviews (FAR). Each FAR must be typewritten and include:

- The department head/chair's (or dean's) signature
- The faculty member's signature
- The nature of the faculty member's assignment, including the percentage of assignment devoted to teaching, research, outreach/extension, administration, and service
- A clear indication of any change (including the percentage assignment) in the faculty member's assignment for the coming year
- Coverage of university mission areas (teaching, research, outreach/extension) in alignment with the faculty member's individual assignment
- An indication of the faculty member's performance in each of the university mission areas consistently using the following descriptors: "exemplary," "exceeds expectations," "meets expectations," "marginal," "unacceptable."
- Qualitative evaluative comments, and
- An indication of the faculty member's overall performance level using the following descriptors: "exemplary," "exceeds expectations," "meets expectations," "marginal," "unacceptable."

If the faculty annual review is to be used effectively as a trigger for post-tenure review, it is essential that faculty members know where they stand with respect to their performance. Overall "unacceptable" performance must clearly be specified as such on the faculty annual review form. It is the responsibility of every department head/chair and dean to ensure that the annual faculty review is conducted properly in accordance with University policy and that any faculty member whose overall performance is judged "unacceptable" be clearly notified of such in writing on the evaluation form. The Office of the Provost will continue to audit all annual faculty reviews to make certain the minimum standards listed above are met consistently throughout the University.
IV. **The Trigger Mechanism**

An overall "unacceptable" annual evaluation will put the tenured faculty member on warning that the PTR process may be triggered by a second overall* "unacceptable" annual evaluation received during the next five years. (In other words, two overall unacceptable annual evaluations over a six year period will trigger PTR.) It shall be the department head/chair's responsibility, in consultation with the dean, to notify in writing, by May 15 of each year, the faculty member and the Office of the Provost whenever PTR is triggered by a second overall "unacceptable" evaluation during any six year period. Failure to provide this notification does not negate the requirement for PTR.

* The overall score is to be determined by the composite of the weighted evaluations of the faculty member's workload assignments.

V. **Commencement of the Policy**

This policy becomes effective for the 2008-2009 academic year. Annual faculty evaluations conducted in Spring, 2008 (which considered the faculty member's work during calendar year 2007) are considered "year one" for the purpose of implementing this policy. Faculty whose performance was judged overall as "unacceptable" for calendar year 2007 are thus put on notice that a second overall evaluation of "unacceptable" occurring over the next five years (calendar years 2008-2012) will trigger PTR. Evaluations for years prior to 2007 are not to be considered under this triggering mechanism.

VI. **Review of Tenured Faculty Holding Full-Time Administrative Posts**

Faculty members holding full-time administrative assignments are to be evaluated by their administrative supervisors. They serve in their administrative posts at the pleasure of the University. They are exempt from PTR as faculty while serving as full-time administrators. However, any tenured faculty member whose administrative term expires becomes subject to the PTR triggering mechanism described in Section IV above.

VII. **Review Criteria**

The review assesses the quantity and quality of the faculty member's work over the preceding six years with respect to her or his assigned duties in terms of teaching, research, outreach/extension, and professional and university service. These criteria are stated in general terms as the basis of an overall policy applicable to a wide range of academic disciplines. The criteria are flexible to accommodate differing expectations in different disciplines and changing assignments at different stages of faculty careers. The criteria for appraisal should reflect the overall mission of the unit or department and be sufficiently flexible to accommodate faculty with differing responsibilities who contribute to the mission of Auburn University in varied ways. The criteria shall be applied in a manner that respects and safeguards first-amendment rights and academic freedom, and that produces a fair result. The application of the criteria shall not be biased by consideration of the faculty member's race, sex, religion, national origin, age, physical handicap, marital status, or sexual orientation.
VIII. Materials to be Reviewed

Once a faculty member has been identified for post-tenure review as described in Section IV—and the Office of the Provost and the faculty member have been notified by the faculty member's dean and department head/chair—the Office of the Provost will send instructions to the faculty member, department head/chair, and dean regarding how to prepare the faculty member's PTR packet. The faculty member and department head/chair are to prepare materials for review following these instructions, then submit them to the Office of the Provost through the Office of the Dean. The dean has the right and responsibility to review the packet before it is submitted to the Office of the Provost, and to comment on the packet as desired. The materials for review include:

1. Annual reviews by the department head/chair (or dean if the school has no departments) for the previous six years. *(Note that, for confidentiality purposes, these reviews will be retained in the Office of the Provost and will not be shared with anyone who is not in a direct line of administrative authority over the faculty member.)*

2. A current, comprehensive curriculum vitae.

3. A summary of accomplishments and plans during the faculty member's past six years at Auburn University, prepared by the faculty member, not to exceed two pages in length.

4. A letter of evaluation, not to exceed two pages, to the provost from the department head/chair through the dean (or from the dean if a school has no departments), that describes the duties assigned to the faculty member during the review period and assesses the satisfactoriness of the faculty member's overall performance of the assigned work. The department head/chair is expected to consider the viewpoints of all tenured faculty in the department while preparing this letter. The procedure for doing so is described below in Section IX.

5. If the faculty member wishes to waive his or her rights of confidentiality, copies of the faculty member's annual reviews for the previous six years may also be included in the materials submitted for review.

Advice from Tenured Faculty

Prior to preparation of the department head/chair's letter (mentioned in Section VIII, item 4), the department head/chair is to make available to all tenured faculty within the department for their review (a) the curriculum vitae and (b) the summary of accomplishments and plans prepared by the faculty member. The tenured faculties are to inspect these documents and vote (by secret ballot: yes, no, abstain) whether or not the faculty member under review is discharging satisfactorily the academic duties associated with his or her position. The faculty member under review is to be informed of the results of the vote. The results of the vote—including the actual numerical vote—shall be included in the department head/chair's letter.
University PTR Committee

The university-wide Post-Tenure Review Committee shall consist of at least six tenured faculty members from representative schools and colleges plus the provost, who shall serve as chair. The president will appoint the members of the Post-Tenure Review Committee following the same process and with all the restrictions that currently apply to the selection of candidates for the University Promotion and Tenure Committee. All deliberations of the University PTR Committee are to remain confidential.

Outcomes

1. The University PTR Committee, chaired by the provost, shall provide the faculty member with a concise written summary of its review and a conclusion as to whether the faculty member's performance is deemed satisfactory. This summary is also to be provided to the dean and department head/chair. The faculty member shall have the opportunity to appeal this decision using the appeals process described in Section XII.

2. A faculty member whose performance the review committee assesses to be unsatisfactory will undertake a development plan to be prepared jointly by the faculty member and academic unit administrator and approved by the dean and provost. The development plan will outline what is needed to move the faculty member to a higher level of performance. It must have specific, measurable goals that can reasonably be attained during a twelve-month period. Progress on all plans will be reviewed and assessed after twelve months using the procedure described in item 3 below. The nature and source of any resources needed to accomplish the plan must be spelled out in writing.

3. At the conclusion of the twelve-month development period, the faculty member will prepare a report summarizing his/her progress on achieving the goals specified in the development plan. This report shall be forwarded to the provost through the department head/chair and dean, who will jointly review the faculty member's progress and prepare a report that is also submitted to the provost. Faculty members who are judged not to have demonstrated progress after completing a development plan will be notified and given an opportunity to respond to the provost before the imposition of further sanctions. The provost's decision can be appealed using the process described in Section XII. If the provost (or president through the appeal process) decides that sufficient progress has been made, the faculty member shall be deemed to have completed the post-tenure review process. The faculty member would be reviewed annually (along with other faculty) using the process described in Section III above. Further PTR shall not be required unless triggered by two subsequent overall "unacceptable" evaluations on annual reviews during another six-year period.

4. Sanctions for failure to meet the goals specified in the development plan may include—but are not limited to—a letter of notice to the faculty member, withholding of merit-based salary increases, reassignment of duties, and loss of eligibility for such privileges as travel funds, summer appointments, internal grants, and professional improvement leave.
XII. Appeals Procedure

There are two points in this process where decisions made by the provost can be appealed: (1) The PTR committee’s decision regarding unsatisfactory performance (step 1 in Section XI) and (2) the provost’s decision that the faculty member has not satisfactorily completed the development plan (step in Section XI). In both cases the faculty member may appeal the decision in writing within ten working days of receipt of the provost's decision. The appeal process will parallel the process used in cases of promotion and tenure appeals. The appeal will be made in writing to the PTR Appeals Committee, which consists of the PTR Committee plus two additional members as selected by the Rules Committee. The PTR Appeals Committee shall have ten working days to respond to the faculty member's appeal and has the right to request and consider additional information beyond that listed in Section VIII if the committee believes such information is valuable for evaluating the appeal. The PTR Appeals Committee will make a recommendation regarding the appeal to the president for consideration. The president will render a decision within ten working days and that decision shall be final.

References


ADOPTED: November 03, 2009
PM-35 CAMPUS IMPLEMENTATION PROCEDURE

I. INTRODUCTION

The present Policy Statement 109 is a companion to and supplements Policy Statement 36-T entitled Tenure-Track and Tenured Faculty: Appointments, Reappointments, Promotions, Tenure, Annual Reviews, and Enhancement of Faculty Performance and applies only to tenured faculty. See Glossary of PS 36-T for definitions of terms used but not defined herein.

Section II of PS-109 establishes the procedure for when a chair has repeatedly found a faculty member's job performance to be unsatisfactory. The LSU System's Permanent Memorandum 35, entitled Review of Faculty Ranks, authorizes each campus of the System to establish such a procedure.

II. A FINDING OF UNSATISFACTORY JOB PERFORMANCE; PM-35

II.A. Preamble

PM-35 requires each campus of the LSU System to establish a procedure for when a chair has found a tenured faculty member's job performance to be unsatisfactory in two consecutive reviews or in three reviews in a five-year period. The present Section II establishes that procedure for LSU. By means of a peer committee, it provides a check on the chair's finding, assistance to the faculty member, and a means to avert the consideration of dismissal for cause. This procedure must precede any consideration of dismissal for cause based on unsatisfactory performance evaluations issued after July 16, 2003, if the grounds consist solely of unsatisfactory job performance. Unsatisfactory performance or non-performance by a faculty member occurring and/or arising in whole or in part, prior to July 17, 2003, will be addressed in accordance with PM-35 and procedures provided for in this policy will be used to the extent appropriate based upon the point during the process the policy was implemented. If, nevertheless, the consideration of dismissal for cause is initiated later, all protections of the faculty member's rights as stated in Policy Statement 104 entitled Dismissal for Cause will remain in full force.

Nothing about PS-109 will be construed to diminish the right of a faculty member or group of faculty members to challenge the legality of any University policy or action, or to diminish any other legal rights of faculty.
II.B. General Provisions

As used herein, the term *unsatisfactory* is defined and restricted as follows: For a finding of unsatisfactory job performance to be made, the deficiencies must be serious. That is, they must be so substantial that if they were to persist after the faculty member receives adequate notice, and after a reasonable time is allowed for improvement, then grounds would exist for the consideration of dismissal for cause under the provisions of PS-104. The chair, if he or she finds that a faculty member's job performance is unsatisfactory, will explicitly state in the chair's evaluation that it is "unsatisfactory as defined in Section II of PS-109."

A finding of unsatisfactory job performance is called a **new finding** unless it is a **repeated finding** as defined in Section II.D. below.

II.C. A New Finding

In conjunction with the annual review defined in PS 36-T, Section XI, when the chair concludes that a faculty member's job performance has been unsatisfactory, the chair will offer, with a recommended two weeks' notice, to hold a conference with the faculty member to discuss the finding and all related issues. The faculty member is free to waive the conference. If it is held, the chair will attach a record of the conference to the chair's evaluation. The final steps of the annual review process will then be completed, and the following additional requirements will apply:

1. The dean, whenever he or she receives a file that contains a finding of unsatisfactory job performance, will write a recommendation, advisory to the provost, in support of or in disagreement with the finding.

2. HRM, whenever it receives a file that contains a finding of unsatisfactory job performance, will circulate the file to the provost and to the Advisory Board as defined in Section II.F. below.

3. Whenever the provost receives a file that contains a finding of unsatisfactory job performance, he or she may, after consulting the dean and the Advisory Board, overrule the finding. Henceforth, in that case, the finding will be of no effect and will not count as a new finding nor as a repeated finding of unsatisfactory job performance under this policy. However, the underlying conduct may be considered if relevant. The provost's statement will be sent to the Advisory Board, the dean, the chair, and the faculty member, and a copy will become part of the file.

II.D. A Repeated Finding

A **repeated finding** is said to occur when the chair, in conjunction with the PS 36-T annual review, makes a finding of unsatisfactory job performance with regard to a faculty member for the second consecutive year or for the third time in five years. When such a finding occurs, the chair will offer, with a recommended two weeks' notice, to
hold a conference with the faculty member to discuss the finding and all related issues, and to explain the pertinent provisions of the present Section II. The faculty member is free to waive the conference. If it is held, the chair will attach a record of the conference to the chair's evaluation. A Peer Review Committee, herein called the Committee, will be selected as provided in II.E. The Committee has two functions described in detail below. The Committee evaluates the faculty member’s performance. If a repeated finding is upheld by the provost, this same committee is expanded and works with the faculty member during the period of time allowed for improvement.

1. Acting independently of the chair, the Committee will review the file and the chair's evaluation; offer, with a recommended two weeks' notice, to hold a conference with the faculty member; gather additional information at its discretion; and write an evaluation of the faculty member's job performance, including specific suggestions and advice for any needed improvement, to become part of the file.

2. If the Committee's report does not support the chair's finding of unsatisfactory job performance, then the chair is free either to withdraw the finding or revise the chair's evaluation accordingly, or to persist therein. In either case, the annual review process will be completed as provided in Section XI. in PS-36-T.

3. At this point, items 1, 2, and 3 related to a new finding apply.

4. If the provost overrules the finding, then the Committee is dismissed. Items 5 through 10 below will not apply.

5. The provost, if in agreement with the finding, may elect to appoint one or two additional members to the Committee, increasing the number to four or five. They must be faculty at or above the rank of the faculty member. The provost must afford the faculty member the right to challenge, for cause, each appointment of a new member.

6. The faculty member will prepare a plan for improvement, hereafter referred to as the **plan**, including a description of resources that he or she may require to achieve the plan's objectives. If requested by the faculty member, the Committee will advise and assist him or her in the preparation of the plan, and will confer with him or her on all matters at issue, seeking mutual agreement. In its interactions with the faculty member, the Committee will observe the principles of academic freedom and professional self-direction. It is suggested that the faculty member submit the plan to the Committee within six weeks after being notified by the provost that the Committee has been appointed, and that the Committee and the faculty member complete any further discussions that may be desired within a further three weeks.

7. The Committee will write a report on its interactions with the faculty member. The report will comment on the plan and make recommendations about the requested resources. The report will include specific advice as to what the faculty member must do to restore satisfactory job performance. The Committee will then send the plan and the
report to the chair, the faculty member, and through the dean to HRM, who will transmit them to the provost and the Advisory Board. A copy will become part of the file.

8. The provost, after consulting with the Advisory Board, will prepare a memorandum to the faculty member. The provost will define the period of time allowed for improvement, herein called the **term**. The term will begin on the date of the memorandum and run for two years; except in the case of exceptional circumstances, Section III may apply, allowing the provost certain discretion in setting the term. The memorandum will also state the University's commitment to provide adequate resources to support the plan. The provost will transmit the memorandum to the faculty member, with copies to the Committee, the dean, and the chair. A copy will become part of the file.

9. The Committee will continue to advise and assist the faculty member and monitor his or her progress throughout the term. Each year, the Committee will write a report to be placed in the file during the annual review process. The chair will also make an assessment of progress as part of the chair's evaluation.

10. If the Committee and the chair both conclude that the faculty member has failed to make a good faith effort as called for by this procedure or, if at the end of the term, they both conclude that the faculty member's progress is inadequate, then the provost will ask the chancellor to initiate consideration of dismissal for cause. If the provost concludes adequate progress has been made, the provost will notify all parties and place a statement to that effect in the file. In that event, if there is a subsequent finding of unsatisfactory job performance, the first subsequent finding of unsatisfactory performance will be regarded as a new finding.

**II.E. Selection of a Peer Review Committee**

A panel will select the Peer Review Committee in accord with the following procedure. However, if the provost determines that the panel (item 1 below) cannot be constituted or cannot function as provided, or if the selection of the Committee has not been completed within 30 days from the chair's notification (item 2 below), then the provost will perform the role of the panel in selecting the Committee, in accord with item 3 below, and will do so in consultation with the Advisory Board.

1. The body with authority to select a Peer Review Committee, herein called the **panel**, comprises all the tenured faculty with primary appointment in the same academic unit and at the same or higher rank as the faculty member in question, but not including the chair or the faculty member, except that the rules of the unit may delegate this authority to a more restricted, standing body which has been elected. The panel may already have a presiding officer, but if not, will select its own.

2. The chair will notify the panel when a Peer Review Committee must be selected, and must at that time relay any pertinent communications from the faculty member (see 3b and 3c below). The chair will send a copy of the notification to the provost through the dean.
3. The panel will meet, discuss the case, and elect the Peer Review Committee, which will comprise three tenured faculty members whose primary appointment is in the department and whose rank is at least that of the faculty member in question. These restrictions and exceptions apply:

    (a) In electing the Committee, the panel must exclude the chair, the faculty member in question, and others who the panel believes would have a conflict of interest.

    (b) The Right to Challenge with Cause. Before the panel elects the Committee, the faculty member has the right to name any person or persons who he or she believes ought to be excluded and to state reasons such as conflict of interest, demonstrated lack of objectivity in a pertinent matter, or other sufficient cause. The panel must then give due consideration to such reasons. The faculty member will again have that right if the panel later fills a vacancy on the Committee.

    (c) The faculty member has the right to instruct the panel that the Committee must include at least one tenured faculty member, with the same or higher rank, whose primary appointment is outside the department, or even outside the college. The panel itself must do so if a Committee of three cannot otherwise be constituted. Item 3e below applies.

    (d) The faculty member may exercise the rights stated in items 3b and 3c by writing a memorandum, in timely fashion, to the presiding officer of the panel directly or through the chair.

    (e) If there are to be outside members, they will be nominated by the panel but are subject to approval by the provost. Before granting approval, the provost must afford the faculty member the right to challenge a nominee for cause.

II.F. The Advisory Board

The Advisory Board will comprise three tenured full professors, serving for staggered three-year terms. No one person may serve for more than a total of six years. No one with an administrative rank of chair or higher may serve. No more than one person from any one college or school may serve at one time. The provost will make appointments to the Advisory Board after consultation with the Faculty Senate Executive Committee. The functions of the Advisory Board will be as follows:

1. To review faculty members’ files and plans for improvement as provided herein

2. To monitor the functioning of the processes on the campus related to findings of unsatisfactory job performance
3. To consider issues of fairness and faculty rights as well as the effectiveness and benefit of these processes

4. To give guidance and advice to chairs and to Peer Review Committees with regard to their duties under Section II

5. To make recommendations for the improvement of the pertinent policies and practices

III. ILLNESS AND OTHER EXCEPTIONAL CIRCUMSTANCES

In the event that a faculty member suffers from physical or emotional illness, or other condition, to such a degree that a job performance improvement plan cannot reasonably proceed in disregard thereof, the period of time allowed for improvement may be lengthened at the discretion of the provost. Because of legal restrictions on the handling of medical information, such exceptions are not subject to review by or reports to the Advisory Board. See also Policy Statement 59 entitled Employee Assistance Program.

IV. PRIVACY RIGHTS

The files generated under PS-109 are personnel records in the sense of PS-40, the Policy Statement entitled Employee Records Confidentiality. Every effort should be made to ensure confidentiality in the processes of PS-109.
MEMORANDUM

TO: Policy and Procedure Manuals

DATE: October 22, 2002
Revised January 12, 2005

SUBJECT: OP 01.21 – Post-Tenure Review Policy

REVIEW

This OP will be reviewed every four years or whenever circumstances require an earlier review by the Robert Holland Faculty Senate with recommendations for revision presented to the Provost and Executive Vice President.

PRINCIPLES

The faculty and the administration of Mississippi State University recognize the importance of encouraging all professors to maintain appropriate levels of productivity in teaching, research, and service. Accordingly, evaluation of the performance of the faculty does not cease with the granting of tenure, but continues with formal annual assessments of all components of a professor’s assignment.

The granting of tenure is the academic community’s chief guarantee of academic freedom – both the freedom of the teacher to teach and the freedom of the researcher to research without undue or inappropriate intramural and extramural pressures. Thus it is ultimately a guarantee of the student’s freedom to learn. Nothing in this procedure should be construed as an attempt to alter the contractual relationship between the professor and the university or to alter the nature of tenure as traditionally conceived and legally defined in the American academic community.

Nor is this procedure intended as a mechanism for re-evaluating or re-validating the granting of tenure. Thus a tenured professor cannot be required to remake his or her case for tenure or otherwise to reassume the burden of proof that he or she bore in the original tenure proceedings.

This procedure is intended solely for assessing cases in which a tenured professor’s level of performance may have decreased over a sustained period and for exploring ways in which that level of performance might be improved by a mutually agreed-on plan of development.
This procedure is not disciplinary and thus is not appropriate for reviewing cases of alleged malfeasance, dereliction, contumacy, or criminality.

PROCEDURES

Comprehensive annual evaluations are conducted in the academic unit (in most cases, the department) in which the professor resides. These evaluations are annually reviewed by the dean. It is customary and appropriate that these evaluations lead to rewards or sanctions in the form of raises, assignments, and material or financial support for research.

In every sixth year following the granting of tenure or following the most recent post-tenure promotion, the five most recent annual reviews (complete with all faculty responses to each annual review) for each tenured professor will again be reviewed by the dean to determine whether there is cumulative prima facie evidence of low performance. In this context, cumulative prima facie evidence of low performance is a rating equal to, or less than unsatisfactory overall in at least 3 of the 5 most recent annual evaluations detected during a post-tenure review. The dean may also conduct such a review at any point within this period when routine review of annual evaluations suggests a sustained pattern (normally three years) of low performance, or when other evidence suggests a marked decline in performance.

Once a dean has determined that there is prima facie evidence of low performance, he or she shall ask the tenured faculty of the professor’s academic unit, holding rank at or above the level of that professor, to empanel a post-tenure review committee, including at least one professor from outside the department, according to its own procedures. The committee will conduct an informal investigation to determine whether there is evidence of low productivity. It will follow procedures established by the tenured faculty of the department, interviewing the professor, the department head, and any other parties whose assistance it considers relevant. The committee will have the same access to university records as is granted to the University Promotion and Tenure Committee.

Faculty productivity must be measured as a function of qualitative and quantitative criteria that goes beyond simply the numerical tabulation of instructional course hours, annual rate of manuscript publication in peer-reviewed journals, time devoted to service work assignments, and amounts of extramural grant funding awarded. Evaluation of faculty productivity must be addressed in an appropriate context as a function of work assignment partitioning within each of the academic missions and correlations made with relevant parameters including professional training and specific field of specialization.

If the committee finds that there is insufficient evidence of low performance or that there is evidence of insufficiently recognized merit, it will report all of these findings to the dean.

If the committee finds that there is sufficient evidence of low performance then it will report to the dean all of these findings including but not limited to those which may be provided by the faculty member any specific causes or reasons that may explain declines in faculty productivity. The committee will also meet with the professor and the department head to formulate a mutually acceptable plan of development to extend over 1-to-3 years. Such a plan may include re-structuring of the professor’s work load assignments, enhancement of administrative support.
(e.g. supplement resource allocation), re-training, or other arrangements that could potentially re-stimulate or re-focus the professor’s energies.

The post-tenure review committee will monitor the success of the development plan over its planned duration and will render progress reports to the dean at least annually. At the end of the development period (or earlier if performance has been raised to the level the committee targeted), the committee will report its conclusions to the dean.

If, at the end of the development period, the administration believes that a tenured faculty member’s level of performance is so low that continued employment would be a detriment to the university’s mission, then it is appropriate for it to institute formal dismissal hearings, under the authority of Policy 401.0102 of the Board of Trustees, Institutions of Higher Learning.

In the case of termination of a tenured faculty member under the guidelines of this Post-Tenure Review policy, the faculty member will be informed in writing of the proposed action against him/her and that he/she has the opportunity to be heard in his/her own defense. Within ten (10) calendar days of notification of the proposed action, the faculty member will state in writing his/her desire to have a hearing. He/she will be permitted to have with him/her an adviser of his/her own choosing who may be an attorney. If an attorney is to be the adviser, the MSU Office of General Counsel is to be notified as soon as the faculty member makes known his/her intention to have a hearing. Failure to notify MSU of the intent to have an attorney present as an adviser will result in the postponement of the meeting for seven (7) calendar days. The institution shall record (suitable for transcription) all hearings. In the hearing of charges of incompetence, the testimony will include that of faculty and other scholars. Tenured faculty members who are dismissed will have their contracts terminated at any time subsequent to notice and hearing with no right to continued employment for any period of time. At the discretion of the Institutional Executive Officer, any faculty member’s salary may be paid, and he/she may be relieved of all teaching duties, assignments, appointments and privileges when he/she is dismissed.

RESPONSIBILITIES

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<tr>
<th>Position</th>
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<tr>
<td>President, Robert Holland Faculty Senate</td>
<td>Review</td>
<td>2019</td>
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REVIEWED:

/s/ Randolph F. Follett                        12/18/2014
President, Robert Holland Faculty Senate       Date

/s/ Jerome A. Gilbert                           11/26/2014
Provost and Executive Vice President           Date
REVIEWED:

/s/ Timothy N. Chamblee ___________________________ 01/15/2015
Assistant Vice President and Director  Date
Institutional Research and Effectiveness

/s/ Joan Lucas ___________________________ 01/15/2015
General Counsel  Date

APPROVED:

Mark Keenum ___________________________ 01/23/2015
President  Date
University of Arkansas
Office of the Provost and Vice Chancellor for Academic Affairs
http://provost.uark.edu/policies/140511.php

Academic Policy 1405.11
Evaluative Criteria, Procedures and General Standards for Initial Appointment, Successive Appointments, Annual and Post-tenure Review, Promotion and Tenure

Note: Effective September, 2008, consistent with the interpretation reflected in the statement by University of Arkansas President B. Alan Sugg, June 26, 2008, the title "provost" as used in this document will be interpreted to mean both "the provost and the vice president for agriculture" and the title "dean" will be interpreted to mean both "dean and associate vice president(s) for agriculture" for employees of the Division of Agriculture for whom this document applies. These criteria, procedures, and general standards, adopted by the Campus Faculty and approved by the Chancellor and President, apply to implementation on the Fayetteville campus of Board of Trustees Policy 405.1.

1. Initial Appointment
   The faculty and chairperson /head of each department or equivalent unit shall adopt criteria and procedures for the initial appointment of all faculty members in the unit. These criteria and procedures must be approved by the dean, the Provost and Vice Chancellor for Academic Affairs (hereafter referred to as Provost), the Chancellor and the President. The criteria and procedures adopted by the faculty and chairperson /head shall be consistent with Board policies and the following criteria and procedures.

   1. Criteria
      1. An appropriate degree or professional experience is an essential qualification for appointment to positions at academic ranks.
      2. Other important qualifications include experience in teaching, research, or other scholarly or creative activity, and educational service either at other colleges and universities and/or in non-academic settings.
      3. The academic rank awarded at the initial appointment shall be consistent with prior professional experience as well as Board policies and criteria adopted by the faculty and chairperson /head of the appropriate unit.

   2. Procedures
      1. No later than 30 days after beginning employment in connection with a first appointment, each faculty member shall be advised in writing by his or her 2 chairperson /head of the criteria, workload assignment, procedures, and instruments that are to be used in assessing his or her work.

2. Successive Appointments and Annual Review
   Each faculty member not in a tenure-track position shall be evaluated by his or her chairperson/head, or other immediate supervisor, at appropriate intervals (normally on an annual basis) in accordance with the following criteria which are relevant to assigned activities.

   Tenured faculty members have a right to a next successive appointment except for the reasons for termination of a tenured appointment specified by the Board of Trustees. Non-tenured, tenure-track faculty do not have a right to a next successive appointment, but may be offered an appointment after the expiration of a current appointment, provided it does not extend the time in probationary status beyond the limits set in Section IV.A.4 and IV.A.11 of Board Policy 405.1. In the event that a non-tenured,
tenure-track faculty member is not recommended for reappointment, the procedure described in Section IV.B of Board Policy 405.1 shall be followed.

The faculty and chairperson/head of each unit shall adopt criteria and procedures for an annual review and evaluation of the work and status of each tenured and tenure-track faculty member in the unit. These criteria and procedures must be approved by the dean, the Provost, the Chancellor, and the President. The criteria and procedures adopted by the faculty and chairperson/head shall be consistent with Board policies and the following criteria and procedures. No later than March 30, each faculty member's annual review shall be conducted on the basis of that year's workload assignment and assigned duties and according to criteria and procedures stated herein. No later than the end of the spring semester, the chairperson/head shall inform each faculty member in writing of his/her workload assignment and evaluation criteria for the next academic year. To fulfill the educational mission of the University and in the best interest of each unit, the chairperson/head may later modify a faculty member's workload assignment and evaluation criteria, if necessary. An important purpose of the annual review is to provide guidance and assistance to all faculty in their professional development and academic responsibilities in the areas of teaching, scholarly and creative activity, and service. Any faculty member on a terminal appointment will not be evaluated in his/her terminal year.

1. Criteria
   Each faculty member shall be evaluated on the basis of achievement in the areas of (a) teaching (or professional performance, in the case of the faculty members with non-teaching titles in the Library, the Cooperative Extension Service, Instructional Development, or the Museum), (b) scholarly or creative activities, and (c) academically related service. Each faculty member should be actively engaged as a collegial contributor to the life of the academic unit (e.g., department, school, college, university) and should exhibit respect and cooperation in shared academic and administrative tasks. Each unit shall develop procedures for peer evaluation appropriate to its mission. The annual review of each faculty member with a teaching assignment shall include evaluation by students.

   1. Evidence of achievement in teaching or professional performance may include, among other items:

      1. Teaching:
         1. Teaching materials such as course outlines, examinations, and supplementary materials.
         2. Evidence of effectiveness in direction of research of undergraduate, graduate, and postdoctoral students.
         3. Evidence of participation in unit examination activities, such as written and oral examinations for honors or graduate degree candidates.
         4. Self evaluations.

      2. Professional performance (in the case of faculty with non-teaching titles):
         1. Annual ratings by supervisors.
         2. Evidence of expertise in the area of professional responsibility and effectiveness in carrying out assigned duties.
         3. Evidence of ability and willingness to accept additional responsibility and/or leadership.
         4. Evidence of cooperation in dealing with personnel at all levels.
         5. Evidence of efforts at self-improvement.
7. Evidence of the development of special projects, resource tools, and/or the use of creative techniques in the performance of duties.
8. Evidence of initiative and resourcefulness in solving unit problems.
9. Evidence of ability to communicate effectively orally and in writing.
10. Evaluations by clientele.
11. Self evaluations.

2. Evidence of scholarly or creative activities may include, among other items:
   1. Publications of papers, books, and similar items.
   2. Evidence of research, either funded or unfunded.
   3. Evidence of awards, including funding of research proposals by external agencies after competitive review.
   4. Evidence of intellectual property developed.
   5. Evidence of performances, presentations, concerts, and other creative activities in the fine and performing arts.
   6. Papers presented at professional meetings and seminars.
   7. Technical reports on research projects completed or in progress.
   8. Evidence of professional recognition by outside agencies, groups, or other individuals in the field.

3. Evidence of academically-related service activities may include, among other items:
   1. Evidence of activities intended to enhance public understanding of the University or activities intended to develop the service function of the University.
   2. Evidence of involvement in the work of professional societies.
   3. Evidence of committee activities at the University.
   4. Evidence of participation in activities in connection with funding agencies.
   5. Evidence of service to the public through consulting or other activities in the area of academic or professional competence of the faculty member.

2. Procedures for Tenured and Tenure-Track Faculty
   1. No later than 30 days after beginning employment in connection with a first appointment, each new faculty member shall be advised in writing by his or her chairperson/head of the criteria, procedures, and instruments that are to be used in assessing his or her work.
   2. By May 1 of each year, each faculty member shall be informed in writing by the chairperson of the annual review schedule, criteria, workload assignment, procedures, requirements, and instruments for the current year. Whenever there is a change in criteria, procedures, or instruments, each faculty member shall be informed by the chairperson/head in writing within four weeks of the change. Each faculty member shall also be provided with any standard review forms upon which the faculty member is expected to submit information regarding professional activities.
   3. The performance of each tenured and tenure-track faculty member shall be reviewed annually by his or her chairperson/head.
   4. As long as it is submitted by the deadline established by the faculty and chairperson/head of the unit, each faculty member has the right to submit any material desired to be considered in the annual review.
   5. The annual review forms, summaries of annual discussions between the chairperson/head and faculty member, recommendations, and all other materials used in or resulting from the annual reviews of the faculty member shall be maintained as long as the faculty
member is employed by the University and for at least three years thereafter. These materials shall be made available to the faculty member upon his or her request.

6. The responsibility for the initiation of the annual review of each tenured and tenure-track faculty member, including recommendations regarding reappointment of each non-tenured faculty member, lies with the chairperson/head. The chairperson/head shall make each recommendation regarding reappointment (which includes recommendations for non-reappointment) of a tenure-track faculty member only after consultation with an elected unit committee. (Note that this provision requires that all departments have an elected department peer review committee hereinafter called the unit committee.)

7. Before submitting to the dean his or her recommendation and that of the unit committee or group, the chairperson/head shall meet with the faculty member to discuss all issues related to the review. A copy of the summary of the discussion and a copy of the chairperson's draft of the proposed recommendation to the dean and of the committee's recommendation shall be provided by the chairperson/head to the faculty member, who shall be given a reasonable opportunity to submit a written response before the chairperson/head prepares his or her final recommendation. A copy of the chairperson's/head's final recommendation to the dean shall also be provided to the faculty member, who shall be given a reasonable opportunity to submit a written response to be forwarded to each subsequent level of review.

8. Except for non-reappointment, dismissal, tenure, or promotion decisions, a faculty member claiming that a recommendation resulting from the annual review process violates his or her rights under established University personnel regulations, policies, or practices, has recourse through the Faculty Grievance Procedure of the University. For non-reappointment, dismissal, tenure, or promotion decisions, other University policies and procedures are applicable.

3. Post-Tenure Review
As described in Section V. A. of Board Policy 405.1, every year the performance of every tenured and tenure-track faculty member at the University of Arkansas, Fayetteville, is reviewed and evaluated by his/her academic unit. Based on this annual review and evaluation, personnel decisions such as reappointment, merit salary increases, and promotion are made. When the performance of a faculty member during the preceding calendar year is evaluated as unsatisfactory, the faculty member is informed by his/her department chair/head of this finding as well as what corrective actions are to be undertaken during the current year.

When the annual review of a tenured faculty member results in an overall rating of 'unsatisfactory' in two consecutive annual reviews, or three of five consecutive annual reviews, action to improve his/her performance to the satisfactory level will be taken. Such recommendation shall originate with the faculty member's chairperson in consultation with the unit committee, in accordance with annual review criteria, procedures, and standards of satisfactory performance as determined at the department level. (Note that this policy requires all departments to define 'satisfactory' and 'unsatisfactory' in their departmental procedures if they have not already done so.) Within a reasonable period of time (including time for the faculty member to file grievances for the unsatisfactory ratings if desired), the department chair/head shall notify the faculty member in writing that a 'professional development plan' must be activated.

The professional development plan is a process for improving the faculty member's performance of his/her academic responsibilities in teaching, and/or research and creative activities, and/or service in a period of three years, or less if the faculty member requests it. In the case of extenuating circumstances as defined in Section IV. A. 4 of Board Policy 405.1, the faculty
A member may request extension of the faculty development plan period by one year. The professional development plan is prepared by the faculty member, the department chair/head and the unit committee, with the consultation and approval of the dean. Among options for the professional development plan are (1) change in assignment more appropriate to existing skills; (2) establishment of expertise in an area through scholarly activity; (3) taking a leave of absence to obtain new skills or update existing skills; and (4) a plan of improvement in teaching, research, and/or creative activities, and service.

The faculty member must demonstrate satisfactory progress in the professional development plan to the unit committee, the department chair and the dean of the college as part of the annual review process. In the event that the faculty member fails to demonstrate the required improvement as indicated in the professional development plan by the completion of the development plan period, the dean may recommend a one-year terminal contract and dismissal for cause, after which the dismissal process outlined in Board Policy 405.1 will be followed (as defined in Section IV.C of the policy).

3. Promotion
Promotion shall be based primarily upon the accomplishments of the individual while in the most recent rank. Promotion is a distinct honor and is not based upon length of service. No minimum time in rank is required before a faculty member is eligible for promotion.

The faculty and chairperson/head of each unit shall adopt criteria and procedures for promotion to each rank. These criteria and procedures must be approved by the dean, the Provost, the Chancellor and the President. The criteria and procedures adopted by the faculty and chairperson/head shall be consistent with Board policies and the following criteria and procedures.

1. Criteria
   Each faculty member who is being considered for promotion shall be evaluated on the basis of achievement in the areas of (a) teaching (or professional performance, in the case of the faculty members with non-teaching titles in the Library, the Cooperative Extension Service, Instructional Development, or the Museum), (b) scholarly or creative activities, and (c) academically-related service. Each faculty member should be actively engaged as a collegial contributor to the life of the academic unit (e.g., department, school, college, university) and should exhibit respect and cooperation in shared academic and administrative tasks. Although the criteria may resemble those used in annual reappointment evaluations, the relative emphasis and the levels of achievement required for promotion and reappointment may differ. The criteria for the granting of promotion are the same as the criteria for reappointment contained in Section II.A of this document.

2. Procedures for Tenured and Tenure-Track Faculty
   1. No later than 30 days after beginning employment in connection with a first appointment, each faculty member shall be advised in writing by his or her chairperson/unit of the criteria, workload assignment, procedures, and instruments that are to be used in assessing his or her work.

   2. By May 1 of each year, each faculty member shall be informed in writing by the chairperson of the promotion and tenure review schedule, criteria, procedures, requirements, and instruments for the current year. Whenever there is a change in criteria, workload assignment, procedures, or instruments, each faculty member shall be informed by the chairperson in writing within four weeks of the change. Each faculty member shall also be provided with any standard review forms upon which the faculty member is expected to submit information regarding professional activities, and shall be informed...
that he or she may submit as a part of his or her promotion/tenure packet a written list of three to five potential reviewers with a brief rationale for each nominee.

3. The performance of each tenured and tenure-track faculty member shall be reviewed annually by his or her chairperson/head.

4. As long as it is submitted by the deadline established by the faculty and chairperson/head of the unit, each faculty member has the right to submit any material desired to be considered in the annual review, including for promotion determination.

5. The annual review forms, summaries of annual discussions between the chairperson/head and faculty member, recommendations, and all other materials used in or resulting from the annual reviews of the faculty member shall be maintained as long as the faculty member is employed by the University and for at least three years thereafter. These materials shall be made available to the faculty member upon his or her request.

6. With the help of the unit committee, the chairperson shall begin, in the fall spring semester prior, consideration of whom to nominate for promotion that year. No later than May 1, the chairperson shall inform in writing each faculty member who is being considered for promotion that he or she is being considered. No later than May 5, any faculty member (whether so informed or not) may request in writing to the chairperson to be nominated for promotion that year; such request shall be honored by the chairperson/head.

7. The chairperson/head shall ask each individual to be nominated for promotion to submit material which he or she believes will facilitate consideration of his or her competence and performance. Since this recommendation includes material back to the time of initial appointment or last promotion, the candidate should consider these items and begin accumulation of appropriate material at that time.

8. The candidate and the chairperson/head should take the necessary steps to insure that the file of supporting material is as complete as possible to facilitate a thorough and fair evaluation. No new material shall be included in the files for promotion and/or tenure without the knowledge of the candidate after the department or unit submits the file to the college or school. It is recommended that care should be taken to include the following materials along with all documentation relative to satisfaction of the unit criteria:

1. A description of responsibilities with breakdown of teaching, research, and service assignments each semester since the initial appointment or the last promotion, whichever is pertinent. This material should address the need for untenured faculty in particular to be given assignments which provide an opportunity to satisfy the criteria under which they will be judged.

2. A statement of department criteria for promotion and/or tenure.

3. Any employment correspondence between the faculty member and his or her supervisor that clearly indicates job responsibilities. This includes the annual faculty workload assignments. In the absence of written confirmation to the contrary, heavy teaching and/or service loads do not mitigate the necessity for research and publication.

4. Copies of all annual review forms and summaries of annual discussions with chairpersons since the initial appointment or the last promotion. Each summary should include a clear statement that the candidate is or is not making satisfactory progress towards promotion and/or tenure, why, and what remedial steps, if any, are recommended. These summaries of progress towards promotion/tenure should be related to the annual evaluations.

5. Summary of student evaluations and other evidence of teaching effectiveness. The evaluations should be based on responses using the instruments and procedures selected by the candidate's unit. The summary should cover all classes taught by
the candidate since the initial appointment or the last promotion, whichever is pertinent.

6. For those instances in which the individual is at the time limit for tenure, special justification should be given recommendations to tenure without promotion.

7. A minimum of three letters from impartial outside reviewers at peer institutions will be included. Qualified, impartial outside reviewers are those who lack a familial relationship with the candidate, who lack a former student/teacher relationship with the candidate, and who lack any apparent or actual conflict of interest. To assist in maintaining reviewer confidentiality, the candidate, the departmental promotion and tenure committee and/or the personnel committee (the department committee may seek suggestions from the department chair/head for reviewers) will each identify 3 to 5 appropriate reviewers. The candidate will be shown the list of potential reviewers and can strike any 2 reviewers within 5 working days of seeing the list. The departmental promotion and tenure committee will select a minimum of 3 reviewers from the combined accepted lists including at least one reviewer from the candidate's list and at least one from the promotion and tenure committee list. The candidate will not be told the final composition of the list of reviewers. Letters requesting a review by external constituents should contain the following confidentiality statement:

"The University of Arkansas makes every effort to maintain the anonymity of external reviewers. Under University policy, candidates for promotion and/or tenure will consider a list of potential reviewers from which final reviewers are selected (but remain unknown to the candidate). Additionally, candidates for tenure and/or promotion may read the external letters of review, but identifying information, such as the letterhead and signature, will be redacted. In the event a candidate requests a copy of an external review letter under the Arkansas Freedom of Information Act, s/he would be entitled to receive a copy of the unredacted recommendation as a part of his or her personnel file."

All reviewer letters must be included in the packet as well as a short vita from the outside reviewers. The reviews should be based on the evaluator's knowledge of the complete record of the candidate, including a description of responsibilities with a break down of teaching, research, and service assignments during the time period being evaluated. Candidates have the right to review the comments/written narrative of the outside reviewers' letters. However, the reviewers' identifying information (letterhead, signature, etc.) will be redacted to provide the reviewer some confidentiality.

8. The candidate's file of supporting material, written evaluations from outside reviewers, and any other relevant material shall be evaluated by the unit committee. After both meeting and voting independently of the department chairperson, the unit committee shall make its recommendation and recorded vote in writing and forward it to the chairperson and the tenured unit faculty along with a written statement of the unit committee's rationale for its recommendation. The unit committee shall send a copy of its recommendation and statement of rationale to the candidate. (A 'positive recommendation' is a recommendation to promote; a 'negative recommendation' is a recommendation not to promote.)

9. Similarly, the candidate's file of supporting material, written evaluations from outside reviewers, any other relevant material evaluated by the unit committee, and the unit committee's recommendation and recorded vote shall be evaluated by the unit's tenured faculty. After both meeting and voting independently of the chairperson, the unit tenured
faculty shall make its recommendation and numerically recorded vote in writing and forward it to the chairperson. A copy of the tenured faculty's recommendation and numerically recorded vote must be sent to the candidate.

10. In like fashion, the candidate's file of supporting material, outside reviews, the written recommendation of the unit committee, the recommendation of the tenured faculty, and any other relevant material shall be evaluated by the chairperson in deciding whether to make a positive or negative recommendation. The chairperson shall inform the faculty member in writing of his/her recommendation and the rationale the recommendation.

11. Prior to the time the chairperson forwards the nomination to the dean, the faculty member may withdraw from further consideration. Such withdrawal shall be in writing to the chairperson.

12. Each nomination shall be forwarded to the dean in writing by a date to be established by the college or school between October 22 and November 20 and shall be accompanied by the chairperson's/head's recommendation and the candidate's file of supporting material, including all materials provided to the chairperson by the faculty member. Any recommendation shall also be accompanied by a written statement of the chairperson's/head's rationale for the recommendation as well as the unit committee's written recommendation, vote, and rationale and the tenured faculty's recommendation and recorded vote.

13. Each college or school shall provide for a formal review of all nominations for promotion by a review committee elected by the faculty of the respective college or school. Upon receiving each nomination, the dean shall provide the review committee with all materials submitted by the chairperson/head together with any other materials submitted by the candidate. The department/unit chairperson/head and unit committee should be informed of any additional material submitted by the candidate. After both meeting and voting independently of the dean, the review committee shall make its recommendation and recorded vote in writing and forward it to the dean of the college or school along with a written statement of the review committee's rationale for its recommendation. The review committee shall send a copy of its recommendation and statement of rationale to the candidate.

14. If the unit chairperson/head makes a negative recommendation, the review committee described in the preceding paragraph shall (at the time it decides whether to recommend the candidate's promotion) also decide whether to ask the unit chairperson to reconsider his or her recommendation. If the review committee asks for a reconsideration, the unit chairperson shall reconsider his or her recommendation and shall inform the candidate and dean of his or her final decision and the rationale for it.

15. If the candidate does not agree with the review committee, he or she may provide the dean with a written response and may also request a hearing with the dean. Prior to forwarding any recommendation and rationale or materials to the Provost, the dean shall report his or her decision and statement of rationale to the candidate and the candidate's chairperson/head.

16. Prior to the time the dean forwards the nomination to the Provost, the faculty member may withdraw from further consideration. Such withdrawal shall be in writing to the dean.

17. Each nomination shall be forwarded to the Provost in writing by December 10 and shall be accompanied by the candidate's file of supporting material, recommendations of the candidate's chairperson/head, the candidate's unit committee or group, the tenured faculty of the unit, the college or school review committee, and the dean. The dean's recommendation shall also be accompanied by a written statement of his or her rationale for the recommendation.
18. The Provost shall evaluate the submitted materials and shall communicate his/her recommendations in writing by January 28 to the candidate, to the Chancellor, to the candidate's dean and to the candidate's chairperson/head. Concurrent with each positive recommendation, the Provost shall also forward the candidate's file of supporting material, recommendations of the candidate's chairperson/head, the candidate's unit committee or group, the tenured faculty of the unit, the college or school review committee, and the dean (including a copy of the dean's written statement of rationale concerning the recommendation) to the Chancellor. If the Provost makes a negative recommendation, he or she shall provide the candidate with notice of the negative recommendation by January 28 accompanied by a written statement of the rationale for such recommendation.

19. Upon being notified of a negative recommendation by the Provost, the candidate may request a review by the Faculty Senate Committee on Appointment, Promotion and Tenure (hereinafter referred to as the Tenure Committee). The request shall be in writing and submitted to the Provost by February 14. If the candidate requests review by the Tenure Committee, the Provost shall submit to the committee all recommendations and materials used at every stage of the matter. The complete file of materials shall be submitted to the chairperson of the Tenure Committee by February 16. The Tenure Committee will have access to the files of all candidates for the current year within the candidate's college. The candidate should include documentation in the appeal file of any deviation from the procedures of this section that is considered by the candidate to have damaged his/her application. The Tenure Committee shall provide the Chancellor with a written statement of its recommendation and the rationale therefore, and shall also provide copies of the statement of recommendation and rationale to the candidate and to the Provost and the candidate's dean and chairperson/head by March 5.

20. The final recommendations of the Chancellor shall be communicated in writing to the Provost and to the candidate, the chairperson of the Tenure Committee, the candidate's dean, and the candidate's chairperson/head. In addition, the final recommendations for all candidates shall be communicated in writing to the chair of the Tenure Committee. If the final recommendation of the Chancellor is negative (contrary to a positive recommendation by the Tenure Committee), the Chancellor shall provide the candidate and the Chair of the Tenure committee with a written statement of the rationale for such recommendation.

21. The final recommendations of the Chancellor and of the Tenure Committee shall be made to the President and the Board of Trustees in time for the Board's consideration of the promotion for the next academic year. If the candidate receives a negative recommendation, the candidate may request a review by the President.

4. Tenure
The faculty and chairperson of each unit shall adopt criteria and procedures for the granting of tenure. These criteria and procedures must be approved by the dean, the Provost, the Chancellor and the President. The criteria and procedures adopted by the faculty and chairperson/head shall be consistent with Board policies and the following criteria and procedures.

1. Criteria
   Although the emphasis on accomplishment and potential contribution may differ, the criteria for the granting of tenure include the criteria for promotion contained in Section II.A of this document.

2. Procedures
   The procedures for the granting of tenure are the same as the procedures for promotion contained in Section III.B of this document provided that the final recommendation of the Chancellor and the Tenure Committee shall be made solely to the President.
3. Probationary Period Suspension Procedures
The period of any suspension of a faculty member's probationary period shall be the academic year (in the case of nine-month appointees) or the fiscal year (in the case of twelve month appointees).

During the year in which any faculty member's probationary period is suspended, the faculty member must have (1) a leave of absence without pay for at least four months or (2) a catastrophic leave of absence of at least four months or (3) at least a four-month period consisting entirely of sick leave, a catastrophic leave, and/or leave of absence without pay or (4) a part-time appointment for at least a four-month period which is no more than a 75 percent appointment and also provides for a salary of no more than 75 percent of the faculty member's salary under his or her last full-time appointment. Alternatively, a faculty member with extenuating circumstances not covered by the above may ask for a suspension of the probationary period. Such extenuating circumstances might include a situation where a faculty member is technically fulfilling his or her responsibilities but is unduly distracted by virtue of one of the four grounds outlined in Board Policy 405.1. A faculty member desiring a suspension of the probationary period must present a written request to the chairperson (as that term is used in Board Policy 405.1) of his or her academic unit before the requisite leave period begins. In the event a faculty member is unable to present a written request to the chairperson prior to paid or unpaid leave of absence because of a mental or physical incapacity, the request shall be submitted as soon as practicable considering the extent and nature of the faculty member's incapacity. An individual requesting a second (or more) suspension of tenure during a probationary period should be making adequate progress toward tenure at the time of the request. This must be addressed in department head and dean recommendations and be reflected in annual reviews.

Such request shall (1) specify which of the four grounds for a suspension under Board Policy 405.1 is relevant to this request, (2) explain the circumstances, and (3) supply such medical or other documentation as might reasonably be required. As quickly as possible after the request is presented, the chairperson/head and the faculty member shall discuss the request and implementation of the requisite leave period, if applicable.

The chairperson/head shall consider the request and submit his or her recommendation to the dean. The dean shall consider the request and submit his or her recommendation to the Provost as soon as possible but in no event later than two weeks from the date of the faculty member's presenting his or her request to the chairperson/head.

The Provost shall consider the request and notify the faculty member of his or her recommendation as soon as possible but in no event later than two weeks from the date of his or her receipt of the request. If the recommendation is to be negative, the faculty member may appeal to the Tenure, Appointment, and Promotion Committee. The recommendation of the Provost and the Tenure, Appointment, and Promotion Committee shall be submitted by the Provost within one week of the receipt of the recommendation of the Tenure, Appointment, and Promotion Committee.

The chancellor shall consider the request and submit his or her recommendation to the president as soon as possible but in no event later than two weeks from the date of his or her receipt of the request.

As each administrator makes his or her recommendation, he or she shall notify the faculty member of the recommendation.
In connection with any faculty member whose probationary period has been suspended, each person involved in making a recommendation or decision regarding promotion or tenure of the faculty member shall use his or her discretion as to whether to consider the faculty member's performance during the year of suspension and, if so, how much weight to give to such performance. If there is an approved tenure extension which is granted prior to the 3rd year review, the 3rd year review is also delayed by one year. If the extension is after the 3rd year review, only the tenure and promotion decision is delayed.

No person involved in the promotion and tenure process shall consider a faculty member's having sought or obtained a suspension of the probationary period under this policy in decisions concerning promotion or tenure of the faculty member.

If the request is granted, an appropriate indication shall be placed in the applicant's promotion file. All documentation regarding the rationale for the request shall be kept confidential and maintained in a file separate from the faculty member's official institutional personnel file. This confidential file may be accessed by and must be released to the applicant upon request. Any faculty member whose request is not approved by the chancellor may submit within ten working days additional reasons or information to support a request for reconsideration by the chancellor.

4. Mandatory Sixth Year Review - Terminal Appointment
An individual in a tenure-track position who was not awarded tenure within any of the first six academic year or fiscal year appointments must be evaluated as set forth in Section IV.A.6 of Board Policy 405.1 during the sixth appointment. If he or she is not approved for tenure, the seventh appointment shall be a terminal appointment and the individual may not be reconsidered for tenure during the seventh appointment. Additionally, no individual shall be considered for tenure and/or promotion during a terminal appointment.

5. Dismissal
The subcommittee of faculty members specified in Section IV.C.1 of the Board of Trustees policy on Appointments, Promotion, Tenure, Non-Reappointment, and Dismissal of Faculty (Board Policy 405.1) shall consist of three members of the Faculty Tenure Committee appointed by the committee chairperson as the need arises. The members of the subcommittee shall be faculty members of units not involved in the dismissal. In addition to the provisions set forth in Section IV.C.1. of Board Policy 405.1, the chief executive officer of the campus may recommend that formal proceedings be undertaken regardless of the recommendation of the subcommittee. No employee involved in a dismissal hearing, serving on a dismissal hearing committee, or appearing as a witness in any hearing proceeding shall be discriminated against or suffer any employment disadvantage by reason of participating in such proceeding.

The members of the Faculty Tenure Committee shall serve as the panel of faculty specified in Section IV.C.4 of the Board of Trustees policy on Appointments, Promotion, Tenure, Non - Reappointment, and Dismissal of Faculty (Board Policy 405.1), provided, however, that no faculty member in the unit involved in the dismissal shall serve on the panel for that matter. The chair of the Faculty Senate Committee on Appointment, Promotion, and Tenure shall be chair of hearing committee in IV.C.4 unless the chair is a member of the unit involved in the dismissal, in which case, the vice chair of the Faculty Senate Committee on Appointment, Promotion and Tenure shall be the chair of the Hearing Committee. If both the chair and vice chair of the Faculty Senate Committee on Appointment, Promotion and Tenure are in the unit involved in the dismissal, then the Committee shall elect a chair who is not a faculty member in the unit involved in the dismissal by majority vote.

In addition to the procedures set forth in Section IV.C.4. of Board Policy 405.1, the chairperson (or his or her designee) of the Hearing Committee shall determine procedures to extent they are not set forth in
applicable policies and shall chair the hearing. The chair may require the University and the individual to exchange a list of witnesses, documents and other evidence which they intend to present to the Committee and to furnish the chair a copy of such witness lists, documents and evidence in advance of the scheduled hearing. Such evidence shall not be considered by the Committee until the hearing proceedings have begun although the chairperson shall have the discretion to furnish copies of such evidence to the Committee for its review in advance of the hearing in order to expedite the proceedings. The chair may request that the Committee be advised by legal counsel as to procedural matters and in the event the Office of the General Counsel determines that it may not provide such representation it will request that an attorney from the Office of the Arkansas Attorney General be assigned to advise the Committee. The chair shall determine the order of proof, shall supervise the questioning of witnesses, and shall rule upon all objections (after opportunity for response from both sides) prior to and during the hearing. Committee members shall be allowed to question witnesses during the hearing under procedures established by the chair. The chair shall conduct the Committee during its private deliberations and shall not have a vote except to break a tie. The chair shall assure that before making its recommendation, the Committee shall give opportunity to the individual and the chief executive officer of the campus or his or her designated representative to make oral statements before it.

In addition to the procedures set forth in Section IV.C.6. of Board Policy 405.1, the chair of the Hearing Committee shall be available to discuss the hearing with the President if requested. The decision of the President shall be transmitted to the chief executive officer of the campus, to the individual involved and to the Hearing Committee. Likewise if decision of the President is appealed to the Board of Trustees, the decision of the Board of Trustees shall be communicated to the Hearing Committee.
7.010 Faculty Evaluation and Improvement: General Policy, Areas of Performance to be Evaluated, Sources of Data for Evaluation, Methods of Evaluation, Utilization of Evaluations, Junior Faculty Mentoring, Sustained Performance Evaluation and Administrative Evaluation.

(1) General Policy.

(a) Each faculty member shall be evaluated in writing at least once annually on the basis of an assessment of the individual’s total performance in fulfilling his or her assigned duties and responsibilities to the University and fulfilling effectively those responsibilities attendant to membership in the university community. The basic purpose of this evaluation is faculty improvement in the functions of teaching, including extension work, research, service, and any other duties that may be assigned with the resulting enhancement of learning, cultural advancement, and production of new knowledge. The semester assignment reflected in the Faculty Assignment Report (FAR), found in the University’s on-line effort certification system, shall be used to convey the assigned duties and responsibilities to the faculty member at the beginning of each semester or academic term. The assignment shall be made in accordance with the policy established by the Provost as required by Florida Statutes. The assignment should provide faculty members who are eligible for tenure, permanent status, and/or promotion with equitable opportunities in relation to others in the department to meet the required criteria for such status. The primary assessment of the faculty member's competency shall be in terms of the performance of assigned duties and responsibilities, including those professional responsibilities arising from the nature of the educational process, such as observing and upholding the highest
ethical standards of the faculty member’s discipline, participating, as appropriate, in the shared
system of collegial governance especially at department/unit level, respecting the integrity of the
relationship between professor and student, and adhering to one’s proper role as teacher,
researcher, intellectual, mentor and counselor. The evaluation shall precede and shall be
considered in making recommendations and final decisions on tenure or permanent status,
promotions, and salary for tenured, permanent status, non-tenured or non-permanent status
faculty members and on retention or non-renewal for non-tenured tenure-accruing or non-
permanent status permanent-status accruing faculty members.

(b) The responsibility of the faculty member is the full and competent performance of
all duties pertinent to his or her employment with the University. When first employed, each
faculty member shall be informed in writing of what is expected of him or her, generally, in
terms of teaching, including extension work, research and other creative activities, and service,
and if there are any specific requirements and/or other duties involved. If and when these
expectations change during the period of service of a faculty member, that faculty member shall
be informed in writing of the change and shall be afforded an opportunity to discuss the
assignment prior to its effective date.

(c) Application of the criteria enumerated in this policy shall not violate the faculty
member’s academic freedom or constitutional rights, nor shall a faculty member be punished for
exercising such freedom or rights, either in the performance of University duties or duties outside
the University. At the same time, a faculty member may reasonably be expected to show by his
or her behavior, both in performance of University duties and duties outside the University, that
he or she is aware that membership in the academic profession carries with it special
responsibilities.
(d) Statement on Professional Ethics.

1. The professor, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognizes the special responsibilities devolving upon members of the profession. The professor's primary responsibility to his or her field is to seek and to state the truth as he or she sees it. To this end, the professor devotes himself or herself to developing and improving his or her scholarly competence. The professor accepts the obligation to exercise critical self-discipline and judgment in using, extending and transmitting knowledge. The professor must never seriously hamper or compromise anyone's freedom of inquiry.

2. As an instructor, the professor encourages the free pursuit of learning in students. The professor maintains and represents the best scholarly standards of his or her discipline. The professor demonstrates respect for the student as an individual, and adheres to the proper role of intellectual guide and counselor. The professor makes every reasonable effort to foster honest academic conduct and to assure that evaluation of students reflects their true merit. The professor respects the confidential nature of the relationship between professor and student. The professor avoids any exploitation of students for private advantage and acknowledges significant assistance from them. The professor protects their academic freedom.

3. As a colleague, the professor has obligations that derive from common membership in the community of scholars. The professor respects and defends the free inquiry of associates. In the exchange of criticism and ideas the professor shows due respect for the opinions of others. The professor acknowledges academic responsibilities and strives to be objective in professional judgment of colleagues. The professor accepts his or her share of faculty responsibility for the governance of the University.
4. As a member of the University, the professor seeks above-all to be an effective teacher and scholar. The professor observes the stated regulations of the institution, provided they do not contravene academic freedom, but nonetheless maintains the right to criticize and seek revision. The professor determines the amount and character of the work he or she does outside the University with due regard to his or her paramount responsibilities within it, provided such amount and character of outside employment is in compliance with State law and University and State University System’s policies on outside employment. When considering the interruption or termination of employment, the professor recognizes the effect of this decision upon the programs of the University and gives due notice of his or her intentions.

5. As a member of the community, the professor has the rights and obligations of any citizen. The professor measures the urgency of these obligations in light of responsibilities to his or her field, to students, to the profession, and to the University. The professor, when speaking or acting as a private person shall avoid creating the impression that he or she speaks or acts for the college or the University. As an individual engaged in a profession that depends upon freedom for its health and integrity the professor has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

(e) The criteria and procedures set forth in this regulation pertain to the annual evaluation of faculty. In cases where serious dishonesty, incompetence, neglect of duty, or irresponsibility of a faculty member is charged, proceedings should be undertaken involving full due process guaranteed under recognized procedures and standards for dismissal or other disciplinary action as provided in the University regulations, and contained in the Constitution of the University.
(2) Areas of Performance to be Evaluated. The performance of each faculty member shall be evaluated annually in writing based on the faculty member's contribution to the orderly and effective functioning of the academic-administrative unit (program, department, school, college), those professional responsibilities arising from the nature of the education process, and/or the total University and his or her performance in each of the following areas appropriate to the terms of his or her employment and assigned duties and responsibilities.

(a) Teaching -- Teaching involves the presentation of knowledge, information, and ideas by various methods including lecture, discussion, assignment and recitation, demonstration, laboratory exercise, practical experience, direct consultation with students, etc. The utilization and effectiveness of each of these methods, when appropriate, shall be considered. The evaluation of the total effectiveness of teaching shall be related to approved written objectives of each course which shall be given to each class at the beginning of the semester or academic term. Evaluation shall include consideration of:

1. effectiveness of teaching related to knowledge and skills imparted that correspond with the objectives of the course;

2. effectiveness of teaching related to stimulation of the students' critical thinking and/or creative ability in light of the objectives of the course; and

3. the faculty members' adherence to accepted standards of professional behavior in meeting his or her responsibilities to his or her students.

(b) Extension -- The contributions of the extension faculty to the non-degree educational programs of the University shall be evaluated. The utilization and effectiveness of the following processes and methods, where appropriate, shall be considered in the evaluation: situational analysis; clientele-needs assessment; design and implementation of educational experiences
appropriate to the learner; analysis, synthesis, and adaptation of research results; packaging of such information into program materials such as bulletins, fact sheets, newsletters, mass media messages, and public displays for a wide range of audiences; and demonstration and field tests that enhance both idea adoption and development of new insights. The evaluation shall also include consideration of:

1. Effectiveness of teaching and counseling related to planned objectives in the Extension program.

2. Effectiveness of obtaining, integrating, and organizing educational resources into programs directed to define needs of clientele.

(c) Research and Other Creative Activities -- Contribution to the discovery of new knowledge, development of new educational techniques, and other forms of creative activity shall be considered and evaluated. Evidence of research and other creative activity shall include, but not be limited to: published books, articles and papers in professional journals; musical compositions, paintings, sculpture; works of performing art; papers presented at meetings of professional societies; and current research and creative activity that has not yet resulted in publication, display, or performance. The evaluation shall include consideration of:

1. Productivity, including quality and quantity of what has been done during the year, and

2. Recognition by the academic or professional community of what has been done. In making judgments pertaining to the decision to award tenure, evaluation by qualified scholars in pertinent disciplines both within and outside the University should be sought.

(d) Service -- Service shall include, but not be limited to, participation in governance processes of the University through service on departmental, college, and university committees,
councils and the senate; service to public schools; service in appropriate professional
organizations; involvement in the organization and expedition of meetings, symposia,
conferences, workshops; participation in radio and television; and participation on local, state
and national governmental boards, agencies and commissions. Only those activities which are
related to a faculty member’s field of expertise or to the mission of the University shall be
evaluated.

(e) Other University Duties -- Whenever reasonable duties other than those usually
classified as teaching, including extension work, research or other creative activity or service, are
assigned to a faculty member, such as academic administration and academic advisement, and
such other responsibilities expected as may be appropriate to the faculty member's duties and
responsibilities. The effective performance of these duties shall be evaluated as prescribed by the
evaluation procedures of the University.

(3) Sources of Data for Evaluation -- Evaluation of a faculty member's performance
shall include data from the following six (6) sources where appropriate:

(a) The chair of the faculty member's department or other administrative unit;
(b) Faculty;
(c) Students;
(d) The faculty member being evaluated;
(e) Other university officials; and
(f) Public school officials and/or personnel.

(4) Methods of Evaluation -- All appropriate data and evaluations, qualitative and
quantitative, shall be collected by the chair of the department or other appropriate administrator.
(a) Chair's Evaluation -- The chair of the department or the administrator of a comparable academic unit shall review and evaluate the teaching, including extension work, research, and other creative activities, service and other university duties of each member of that department or unit during each academic year.

(b) Faculty Evaluation -- The respective college or divisions within the University will develop and implement the processes necessary to evaluate the appropriate faculty on teaching, including extension work, research and other creative activities, service and other university duties when appropriate.

(c) Student Evaluation -- Students shall evaluate teaching and, when appropriate, other university duties. The teaching effectiveness of each faculty member may be evaluated in writing by students currently or previously enrolled in his or her classes.

(d) Self-Evaluation -- Each faculty member may provide an evaluation of each area of his or her own total performance, and submit the evaluation, along with any appropriate substantiating evidence, to the chair of the department or other administrative unit.

(e) Evaluation by Other University Officials -- A faculty member may be evaluated by university officials for duties performed under the supervision of Deans, Directors, the Senior Vice President for Academic Affairs, or any other university official(s) who may supervise the faculty member's activities.

(f) Evaluation by Public School Officials and/or Personnel -- A faculty member who teaches or provides other kinds of service to the public schools may be evaluated by public school officials and/or personnel for duties performed under their supervision or in collaboration with said individuals.
(g) Evaluative Comments by Medical Students and Housestaff - The evaluation of the College of Medicine faculty shall include and incorporate into the evaluative process the evaluative comments, as well as the numerical data, submitted by medical students, housestaff (interns, residents, and clinical fellows), and physician assistant students concerning faculty members.

(5) Utilization of Evaluation.

(a) The chair of each department or other administrative unit shall collect the evaluation data for each faculty member in the department. The data, if used in the evaluation process shall be placed in the faculty member's personnel file which is normally located in the faculty member's department or unit. The chair shall provide the faculty member with a written summary of the data and shall discuss it privately with the faculty member.

(b) Existing evaluations and the data in the faculty member's personnel file upon which these evaluations are based shall be considered in recommendations and final decisions on tenure, promotions, and salary.

(c) The contents of the faculty personnel file which deal with the evaluation of performance shall be confidential and shall not be disclosed except to the affected faculty member and those whose duties require access to the file in accordance with the University's evaluation procedures or by the President or President's designee in the discharge of official duties and responsibilities or upon order of a court of competent jurisdiction. (Refer to University of Florida Regulation 3.055)

(6) The evaluations of administrators of the colleges or academic units shall be the responsibility of the dean and/or the applicable senior vice president.
(a) The evaluation process and procedures involved in the evaluation of administrators requiring input from faculty and other appropriate personnel shall be the responsibility of the Dean, Director and/or the applicable senior vice president.

(b) Copies of the administrative evaluation process and procedures requiring input from faculty and others shall be publicly available on the college or senior vice president’s website, as applicable.

(c) The results of evaluations for chairs and program directors will be forwarded to the Dean or Director, with copies to the Provost and Senior Vice President for Academic Affairs, the Senior Vice President for Health Affairs or the Senior Vice President for Agricultural and Natural Resources, as applicable.

(7) Junior faculty mentoring program and special review for faculty in the tenure probationary period.

(a) Each college and equivalent academic unit shall establish a mentoring program for faculty in the “tenure probationary period” as defined in University of Florida Regulation 7.019. This must include consultation assessing the faculty member’s progress toward tenure. No college or equivalent academic unit mentoring program shall require any written assessments by the mentor.

(b) A special (midterm or mid-career review) review should be conducted for any faculty members in the tenure probationary period no later than the close of the third (3rd) year of academic service. Each college shall establish procedures for conducting the review. Such procedures must require that each candidate prepare a tenure packet (without external letters). A departmental committee of tenured faculty, the department chair or equivalent administrator, and the dean or equivalent administrator must provide an evaluation of the faculty member’s progress
toward meeting the criteria for tenure. The outcome of the review shall be shared with the faculty member evaluated, but shall not be used in any future evaluation of the faculty member for tenure.

(8) Sustained Performance Evaluations - Tenured faculty members shall receive a sustained performance evaluation once every seven (7) years following the award of tenure or their most recent promotion. The purpose of this evaluation is to document sustained performance during the previous six (6) years of assigned duties and to encourage continued professional growth and development. A performance improvement plan shall be developed only for those employees whose performance is identified through the sustained performance evaluation as being consistently below satisfactory in one or more areas of assigned duties. It is the responsibility of the employee to attain the performance targets specified in the performance improvement plan. If the faculty member fails to meet these targets, the unit has the responsibility to take appropriate actions under the provisions of University of Florida Regulation 7.048, or the Collective Bargaining Agreement for those faculty in the bargaining unit.

Authority: BOG Regulation 1.001.

History--New 3-26-80, Amended 2-23-82, 3-6-85, Formerly 6Cl-7.l0, Amended 11-13-90, 6-28-98, 7-19-05, Formerly 6C1-7.010, Amended 12-1-12 (technical changes only), 4-3-15.
Policy for Review of Tenured Faculty

Each promotion/tenure unit shall establish written criteria and procedures governing the periodic review of each tenured faculty member.

I. Purpose

The purpose of the review will be to examine, recognize, develop, and enhance the performance of tenured faculty members at the University of Georgia.

II. Criteria

A. The criteria should reflect the overall mission of the promotion/tenure unit and should be sufficiently flexible to accommodate faculty with differing responsibilities and particular strengths who contribute to the mission of the institution in distinct ways.

B. The promotion/tenure unit, as defined in the Guidelines for Appointment, Promotion, and Tenure shall ensure that the criteria governing faculty review do not infringe on the accepted standards of academic freedom of faculty, including the freedom to pursue novel, unpopular, or unfashionable lines of inquiry. The review shall be carried out free of bias or prejudice by factors such as race, religion, sex, color, national origin, sexual orientation, ethnicity, age, disability, political affiliation, or veteran status.

III. Procedures

A. Reviews shall occur once every five years after tenure or promotion has been granted unless delayed because the faculty member is on leave; or because his or her review for promotion to professor is approved by the faculty of the promotion/tenure unit for the following year. These reviews may be combined with other reviews, including (but not limited to) nominations for chaired professorships, major teaching awards, graduate faculty appointments, national professional honors or awards. In the case of combined reviews, the Post-Tenure Review Committee may require supplementary documentation from the faculty member, which meets the below criteria in item B for review procedures.

B. Each promotion/tenure unit shall develop the policy by which the Post-Tenure Review Committee shall be selected. Such procedures to establish the committee may include election, lottery, or a committee of the whole; but cannot include appointment by the promotion/tenure unit head. The committee shall consist of a minimum of three tenured faculty members and may include faculty from other promotion/tenure units contingent upon their willingness and availability to serve. The faculty member under review may formally object to the service of a faculty member in a review capacity. Up to five such objections will be honored if made to the promotion/tenure unit head, unless guidelines established within the promotion/tenure unit provide for a greater number. Every effort will be made to keep these formal objections confidential and the formal objections will not be released by the University, except as required by law. However, the peer-review committee shall include at least one member from the individual’s home promotion/tenure unit.
Review procedures shall include:

1. A review of qualitative and quantitative evidence of the faculty member’s performance over at least the previous five-year period. The evidence should include annual reviews by the promotion/tenure unit head, a current curriculum vitae, materials providing documentation of the faculty member’s accomplishments and contributions that the peer-review committee or the faculty member judge to be relevant to the review. The faculty member should provide the Post-Tenure Review Committee with a concise summary of accomplishments and future plans not to exceed two pages in length.

2. Discussion with the faculty member about his or her contributions to the promotion/tenure unit and the University, if either the Post-Tenure Review Committee or the faculty member so desire.

3. Appropriate consideration of a faculty member’s contributions to interdisciplinary programs, governance, administration, and other programs outside the promotion/tenure unit.

C. The Post-Tenure Review Committee shall provide the faculty member with a concise, written summary of the review and a conclusion as to whether his/her performance is deemed satisfactory. The faculty member shall have the opportunity to prepare a written response to the summary. A copy of the summary and any written response to it shall be given to the promotion/tenure unit head and shall be placed in the personnel file of the faculty member. If the faculty member’s performance is deemed not satisfactory, the Post-Tenure Review Committee shall provide a report identifying the areas of weakness and suggest actions that might strengthen the faculty member’s performance.

D. The promotion/tenure unit head shall also maintain in the faculty member’s personnel file all documents that played a substantive role in the review (other than documents such as publications that are readily accessible elsewhere), and a record of any action taken as a result of the review.

E. A faculty member may request reconsideration of the post-tenure review recommendation of the Post-Tenure Review Committee by submitting a letter and additional documentation to the promotion/tenure unit head within fifteen days of the receipt of the written review.

F. A faculty member may appeal in writing a Post-Tenure Review Committee action or decision within fifteen days of the final action of the Post-Tenure Review Committee. The appeal will go to the Faculty Post-Tenure Review Appeals Committee. The Faculty Post-Tenure Review Appeals Committee would be a seven-member faculty committee elected by the University Council for two-year staggered terms. The Executive Committee of the University Council shall nominate faculty members at the rank of professor with tenure from within and outside the University Council as candidates for election to the Faculty Post-Tenure Review Appeals Committee. No more than two members shall be from any one college. The committee shall elect its chair annually. The Office of Faculty Affairs of the Office of the Senior Vice President for Academic Affairs & Provost will provide staff assistance.
IV. Accountability

A. Copies of the promotion/tenure unit’s post-tenure review policies and procedures shall be filed with the appropriate dean.

B. Promotion/tenure unit heads shall maintain a record of reviews completed, including the names of all reviewers.

C. At the end of each academic year, the appropriate dean shall receive a report from the promotion/tenure unit head, listing the names of faculty members reviewed during that academic year and summarizing the outcomes of those reviews.

D. Any exceptions to this review process must be approved by the Faculty Affairs Committee of the University Council.

E. The periodic review of each promotion/tenure unit shall include review of the post-tenure process of the unit.

F. If a faculty member’s performance is deemed not satisfactory in the review, once all requests for reconsideration and appeals have been exhausted, the promotion/tenure unit head, the faculty member, and the chair of the Post-Tenure Review Committee, must establish a formal plan of faculty development. This plan must be approved by the majority of the Faculty Post-Tenure Review Committee. The plan should a) define specific goals or outcomes to be achieved; b) outline activities that will be undertaken to achieve the goals or outcomes; c) set appropriate times within which the goals or outcomes should be accomplished; and d) indicate appropriate criteria by which the faculty member will monitor progress. The promotion/tenure unit head will be responsible for forwarding the formal faculty development plan to the dean. The promotion/tenure unit head, the dean, and the appropriate vice president are jointly responsible for arranging suitable resources for the development plan, if required. The promotion/tenure unit head will meet with each faculty member whose performance was deemed unsatisfactory at the time of the annual evaluation to review progress toward achieving the goals or outcomes of the development plan. A progress report, which will be included in the annual review, will be forwarded each year to the appropriate administration officer at least one level above the faculty member’s promotion/tenure unit. It will be the responsibility of the promotion/tenure unit head and a peer review committee (selected as in III B) to determine if, after three years, the faculty member, whose performance was deemed not satisfactory, has been successful in completion of the faculty development plan. The promotion/tenure unit head will report that finding to the appropriate administration officer at least one level above the faculty member’s promotion/tenure unit, who will proceed in accordance with University and Board of Regents’ policies.

V. Implementation

A. The promotion/tenure unit shall prepare a plan for scheduling reviews of tenured faculty. The five-year cycle of reviews should begin during the 1997-98 academic year.

B. In all cases in which the unit head is the person being reviewed under this policy, an administrative officer one level above the unit head shall assume the unit head’s function in this review.
Post-Tenure Review Appeals Committee Operating Policy

A. The post-tenure review appeals committee (PTRAC) shall hear only appeals from a post-tenure review in which the faculty member has received an evaluation of “unsatisfactory” by the post-tenure review unit. Before an appeal may be filed with the PTRAC, the faculty member must have exhausted all appropriate administrative remedies within the school or college. If the faculty member then wishes to file an appeal with the PTRAC, he/she must submit a written request for appeal to the PTRAC stating fully the grounds on which the appeal is based. This written request must be filed with the PTRAC within 15 days after a final decision has been rendered by the school or college under the appropriate administrative appeals procedure.

B. In extraordinary cases, the PTRAC, in its sole discretion, may grant a variance from the exhaustion requirement if the appellant petitions the PTRAC for such a variance in writing and shows good cause why the exhaustion requirement should not apply. The written request for variance must be filed with the PTRAC within 15 days of receiving the unsatisfactory post-tenure evaluation.

C. If the PTRAC decides that the decision of the post-tenure review unit is fair and valid, and that the suggested plan of improvement is appropriate, the decision of the post-tenure review unit will then be final and binding on the appellant. If, instead, the PTRAC decides that the evaluation process was flawed or that the determination of unsatisfactory is invalid, the PTRAC may (1) order that the matter be reheard by the post-tenure committee as if the matter had not previously been heard before and as if no decision had been previously rendered, or (2) it may recommend that the decision of the post-tenure review unit be reversed outright.

D. Voting Procedures for University Post-Tenure Review Appeals: Faculty from the candidate’s PTU will refrain from participating in any form of evaluation at all higher levels of review. (University Council, March 21, 2013)

- **Quorum:** Consists of at least two-thirds of the membership.
- **Abstentions:** No abstentions are allowed.
- **Recusal:** Only allowed if a conflict of interest exists. Faculty members who recuse themselves are not considered eligible voters and may not participate in the discussion or consideration of the candidate’s post-tenure review appeal dossier.
- **Absentee Ballots:** No absentee ballots are allowed.
- **Recommendations:** A simple majority vote of eligible voting faculty members present at the meeting. A tie vote of eligible voting members present at the meeting is considered a negative recommendation.

E. The decision of the PTRAC is final and binding. The prior decision of any other committee is not binding on the PTRAC, although the PTRAC may take such a decision into consideration. If issues before the PTRAC are being considered simultaneously by the Faculty Grievance Committee, the Faculty Grievance proceeding shall be stayed until the PTRAC renders its decision.
Introduction

KINDS OF INFORMATION

This manual contains three kinds of information. Discussion of the APT Policy (in Appendix), marked in bold, will be cited by section number (e.g., APT Policy Section III.B.1). Mandatory procedures for dossier preparation are in this default font. Useful suggestions for the content of the dossier and review process are printed in italics. When there is a link to other information, it will be active when viewing the manual electronically.

THE STRUCTURE OF REVIEWS

Faculty members have their tenure homes in Departments, and Departments are combined into Colleges. Actions at both levels are governed by campus-wide policies. In accordance with Board of Regents Policy on Appointment, Rank and Tenure, II-1.00, an award of tenure and promotion can only be awarded by an affirmative decision by the President based upon a formal review. Board of Regents Policy dictates that each institution have written procedures governing the promotion and tenure process. This institution's written procedures are set forth in the University of Maryland Appointment, Promotion and Tenure Policy and Procedures II-1.00(A). In keeping with this campus's commitment to shared governance, at this University a decision by the President to award tenure follows advice and recommendations from both administrators and a faculty APT Review Committee at each of three levels: Department, College and University. Reviews are conducted as follows: (1) at the first level by (a) the Department Faculty APT Review Committee and (b) Department Chair; (2) at the second level by (a) the College Faculty APT Review Committee and (b) the Dean; and (3) at the third level by: (a) the University Faculty APT Review Committee and (b) the Provost. In Colleges and Schools that are not departmentalized, there are only two levels of review and recommendations prior to a final decision by the President; the College/School Faculty APT Review Committee and Dean function as the first level of review.

In this University APT Manual containing both the required procedures, implementation and recommended guidelines, suggestions and advice for tenure and promotion review, the terms "Department" and "Chair" are equivalent to the "first-level unit" and "unit head" (in the case of non-departmentalized Colleges and Schools, this refers to College/School and Dean).

EQUITY AND FAIRNESS IN THE REVIEW PROCESS

Proactive Procedure.

To encourage a fair and equitable review process for the candidate, the Associate Provost for Faculty Affairs will send out a letter to all faculty review committees and administrators at each level reminding them of the importance of conducting a fair and unbiased evaluation. This letter will state that discussions should avoid disparaging or prejudicial comments. It will include an express admonition that the evaluation of the candidate may not be based on factors such as a candidate's sex, race, sexual orientation or other protected personal characteristics. In addition, the letter will stress that neither a candidate's part-time status nor any extension of the mandatory tenure review year authorized pursuant to policy may be held against the candidate, and that such
candidates shall be evaluated according to the same criteria applicable to other candidates. Chairs of the unit-level APT review committees are to distribute the letter to the voting faculty at the inception of the review process. This letter shall be referenced prior to the evaluative meeting and when inappropriate discussions arise. In departmentalized Colleges, Associate Deans of Faculty Affairs and College Diversity Officers are encouraged to formally charge individual Department APT Review Committees prior to the review process, paying specific attention to equity-related issues. Additionally, the Associate Provost for Faculty Affairs and the Chief Diversity Officer will arrange to formally charge College APT Review Committees.

APT Review Committee members shall be informed when a candidate stopped the tenure clock or was on a part-time tenure clock, and informed that these are university-supported policies. The focus of discussion and decision-making in APT Review Committees should be on the candidate’s performance in meeting criteria set forth by the Department, College, and University, and not how long (e.g., an extra year) it took to meet those criteria. This recommendation applies to faculty being evaluated for tenure, as well as those with tenure being evaluated for promotion.

Procedures to Follow Observed Actions of Concern.

Should faculty members of the APT Review Committee (as witnesses) believe that inappropriate comments have been made, such as disparaging remarks referencing tenure delay(s), part-time appointments, cultural background, group membership, and/or personality traits, they are encouraged to raise their concern during the meeting, citing the Administration’s letter. That faculty member may also discuss the issue confidentially with the APT Review Committee Chair, or with the Associate Provost for Faculty Affairs.

USEFUL DEFINITIONS

APT Review Committee

Group of voting faculty at or above the rank sought by the candidate who deliberate and vote on whether to award appointment, promotion, or tenure. There are three levels of APT Review Committee – Department, College, and Campus.

Advisory Subcommittee

Optional subgroup of voting-eligible faculty who gather information for the review, and who may author the APT Review Committee Evaluative Report, which they sign.

Joint Appointment

When a faculty member holds simultaneous appointments (of any percentage) in more than one Department or other Unit (e.g., Center or Institute). Tenure is sought in the primary Department, or tenure home of the candidate.

Quorum

Number of eligible voting members needed to conduct a valid vote on whether to award appointment, promotion, or tenure based on codified Department methods of operation. Quorum is calculated based on the Department or College plan of organization, which should also include information on how absences affect the quorum.
Guidelines for Peer/Non-Student Evaluation of Teaching

Developed by the Teaching and Learning Transformation Center and the Office of Faculty Affairs

OVERVIEW:

Quality in teaching is an important evaluation criterion for promotion and job performance at the University of Maryland. Despite the importance of teaching, the procedures and guidelines for peer or non-student evaluation of teaching are often poorly articulated across campus. Student course evaluations are an important part of judging teaching effectiveness, but such evaluations are also recognized as limited in scope and can be biased by student performance (e.g., course grades) and other factors beyond the instructor's control (e.g., gender, race), so additional sources of information should be considered when evaluating teaching effectiveness.

The APT handbook has long emphasized the importance of "peer" (i.e., non-student) evaluation of teaching, yet specific procedures are not mandated given the variety of teaching models and administrative structures across campus. The Office of Faculty Affairs and Teaching and Learning Transformation Center (TLTC) have developed the following guidelines, best practices, and suggestions for the development of non-student evaluation procedures at the unit level. The goal is to assist Deans, Chairs, and other unit heads with the development of robust and meaningful evaluation procedures of teaching for various purposes, including: 3-yr review of junior faculty; APT dossiers for promotion to Associate or Full Professor; post-tenure review; evaluation and promotion consideration of professional-track faculty; etc. Peer evaluators for tenure track faculty must include tenured faculty, but may also include other tenure track or professional track faculty from within the unit, evaluators from outside the unit, current non-enrolled students (trained in evaluation), or former students/alumni not currently enrolled in courses.

GUIDELINES:

1. Effective non-student or peer evaluation of any instructor is best when performed early in the instructor's contract period. Having such evaluation occur in the final semester prior to promotion consideration will often do little to assist the instructor, and provides little information for the unit. Having the process of peer evaluation become part of the culture of the unit is important; an expectation for all instructors at all stages and ranks, but most especially important for instructors new to the unit. For tenure-track faculty, emphasize the importance of such evaluation as part of the 3-year review, which will ensure evaluation prior to the tenure evaluation.

2. Effective non-student or peer evaluation is best performed using repeated interactions with the course instructor over time, and should include more than classroom attendance and observation/evaluation. Direct evaluation of the teaching materials, syllabi, assignments, activities, assessments, etc., allows for appraisal of the quality and breadth/depth of the course content. Evaluation of classroom management, pedagogies, etc., is equally important, as junior faculty often have little training in these techniques. As such, evaluations at multiple times within a course offering (e.g., reviewing materials and attending class sessions on more than one occasion), and evaluations of multiple course offerings can
provide excellent information for the unit and instructor about teaching effectiveness and improvement over time.

3. Student course evaluations are an important part of evaluating teaching effectiveness and peer evaluators may want to review those evaluations with the instructor. Peer evaluators may be able to interpret student course evaluations, which may include mediocre ratings on certain course components. These poorer ratings could be "sour grapes", but they also may reflect inadequacies in course content (e.g., lack of depth) or poor instructor performance or class management. Conversely, very high ratings can indicate excellence, but may also reflect weaknesses in the course, especially if the course is "easy" and students receive high grades for little effort. Student course evaluations provide imperfect information on teaching effectiveness, but the peer evaluation process can allow for careful review and contextualization of these materials (both quantitative and qualitative student feedback) to help provide insight into teaching effectiveness. The comments generated by student evaluations (i.e., beyond the quantitative rankings) are especially helpful in this process.

4. Evaluation rubrics are recommended for peer evaluators, if only to assist evaluators with recognizing the various areas of instruction that should be considered in their evaluations. Peer evaluators can be trained in the review process either by their unit, school, or campus (e.g., TLTC). The use of rubrics allows for very specific feedback for the instructor under evaluation, as well as for clearer evidence of change in performance over time with repeated evaluation.

5. Evaluation of course content (e.g., learning outcomes, reading lists, activities, assignments, assessments) is best performed by a peer evaluator with expertise in the content area of the course. Moreover, for courses that provide foundational information for higher-level courses (e.g., 101 course that leads to 102 or 201), evaluation of the content as it relates to required skills/knowledge for those subsequent courses can be considered. Alignment of the learning outcomes of the course in relation to the program's degree competencies may also be considered in the evaluation. Such expert evaluation may come from experts off-campus at peer institutions; however, having such an evaluation come late in the promotion timeline and as a one-time review of course materials may be ineffective.

6. Where possible, evaluation of student learning can be a tremendous benefit to the evidence of teaching effectiveness. Student learning might be assessed within a course (e.g., performance on projects or examinations), or perhaps in student performance in later, related coursework. Incorporation of the unit’s learning outcomes assessment procedures into the instructor evaluation can be an effective way to address student learning directly.

7. Evaluation of classroom management, pedagogies, presentation of course materials, etc., may be effectively performed by peer reviewers who are not expert with the content of the course, but who are well-versed (and possibly trained) in evaluating such components. Such evaluations can provide valuable insights for instructors to improve teaching performance and student learning beyond any adjustments to the course content. In fact, such a review is often useful for evaluation of student comprehension of challenging material, as a non-expert reviewer will be able to reflect on the instructor's ability to teach challenging concepts and assess student knowledge and performance.

8. The instructor under evaluation, over the course of several semesters, is likely best served through review by 2-3 evaluators, rather than only one or by many. Repeated review by these evaluators will allow for several opportunities for feedback and suggestions for
improvement, as well as for assessment of changes in teaching effectiveness over time. Recognize also that instructors will have different strengths/weaknesses and will take different paths toward improvement; one size does not "fit all" with regard to excellence in teaching and promoting student learning.

9. The teaching portfolio of any instructor being considered for promotion may include a summary letter of the evaluation processes performed as part of the peer evaluation process. Rather than submission of multiple evaluation rubrics, each peer evaluator may write a summary assessment of the process of evaluation, the number and type of interactions the evaluator had with the instructor and course, and an overall appraisal of the instructor's teaching effectiveness and response to the evaluation process. The peer evaluator is also in an excellent position to interpret and contextualize the student course evaluations in a summary letter.

10. Of note for junior tenure-track faculty: Junior tenure-track faculty whose teaching is peer-evaluated by tenured faculty within their unit have the potential for receiving a biased review, in that these tenured faculty will vote directly on their promotion and tenure application, and, by writing a letter of evaluation, will likely be contributing material directly to the teaching portfolio. Unit heads will want to give careful consideration to the selection of the peer evaluators for junior tenure-track faculty, and may choose to select tenured faculty evaluators with related expertise to the course content from outside the unit.
GUIDELINES FOR IMPLEMENTING THE CURRENT POST-TENURE FACULTY EVALUATION POLICY

In 1995, the University adopted Policy II-1.20(A) on the Periodic Evaluation of Faculty Performance, to facilitate the continued professional development of tenured faculty members. This policy was revised in 1998 in accordance with the requirements of the USM Policy on the Comprehensive Review of Tenured Faculty (19.0 II-1.19). The purpose of comprehensive “post-tenure” review is to enhance the professional and scholarly productivity of the tenured faculty, recognizing both meritorious performance and/or problematic situations as they may emerge. Such “post-tenure” reviews supplement other periodic evaluative reviews, such as annual merit reviews. The present guidelines have been developed by the Office of Faculty Affairs to facilitate compliance with and implementation of the USM/UMCP policies and the Provost’s memorandum dated September 18, 2013. Evaluative procedures for post-tenure review must be adopted by and incorporated into unit plans of organization (UMCP Policy II-1.20(A)). In accordance with the Provost’s mandate, copies of plans of organization must be filed with the Dean’s office and the Office of Faculty Affairs by November 1, 2013.

Frequency of evaluations:

“Comprehensive post-tenure reviews” of each tenured faculty member must occur no less frequently than every 5 years (USM Policy 19.0 II-1.19.5). Units can stagger comprehensive reviews so that all reviews do not coincide in the same year. Faculty with longer service since their last tenure or promotion review should be reviewed first.

“Periodic reviews” may consist of standard merit reviews (normally spanning 3 years of data) or any other relevant evaluative review leading to contract renewal. Units may determine the frequency of such “periodic” reviews, to conduct them either annually or bi-annually.

In addition to every 5 years, “two consecutive [periodic] reviews that indicate that a faculty member is materially deficient in meeting expectations shall occasion an immediate comprehensive review” (USM Policy 19.0 II-1.19.5).

Required Elements of Post-Tenure Comprehensive Review Procedures:

Description of Timeline for Evaluations

No less frequently than every 5 years, or if two consecutive periodic reviews indicate that the faculty member does not meet expectations.

The procedures must also state how sabbatical and other leaves may impact the schedule.

Who Conducts the Review

The review should be conducted “consistent with the general principles of peer review” (USM Policy 19.0 II-1.19.3).

The composition of the faculty committee conducting the review should be set forth in the unit’s plan of organization.
Description of the Comprehensive Post-Tenure Review Portfolio

At minimum, the portfolio should include:

- a personal statement from the faculty member,
- factual information in Faculty Activity Reports (FAR) reports and CV,
- teaching evaluations, and
- materials from all periodic reviews since the last comprehensive review.

Criteria for Outstanding, Satisfactory, and Unsatisfactory performance

To be determined by each unit.

Incentives for Outstanding Performance Ratings

For example: initiation of promotional opportunities, nominations for internal and external awards, and other forms of distinction.

Notice of Possible Actions to be Taken Following Unsatisfactory Performance Ratings

For example: detailed outcomes plan with required deliverables and due dates, loss of sabbatical privilege.

Description of Evaluative Report

A written "peer appraisal" report (UMCP Policy II-1.20(A)) and overall categorical rating, such as outstanding, satisfactory, and unsatisfactory, are recommended.

Description of the Process and Timeframes

- Portfolio of materials is submitted to peer review committee.
- Peer review committee submits peer-authored written report to faculty member.
- Faculty member submits optional written "response to the review committee within 14 calendar days of receipt of the appraisal" (UMCP Policy II-1.20(A)).
- The "portfolio - consisting, at the minimum, of the faculty member's written report, the review committee's appraisal, and the faculty member's response, if that option has been exercised - shall be submitted to the unit administrator" (UMCP Policy II-1.20(A)).
- Faculty member meets with Chair [Dean in non-departmentalized colleges] to discuss final evaluation (UMCP Policy II-1.20(A)).
- If deemed appropriate by the Chair [Dean in non-departmentalized colleges], faculty member and administrator discuss and agree on a "firm written development plan, with timetable, for enhancing meritorious work" and a procedure for evaluation of progress at fixed intervals (UMCP Policy II-1.20(A)). Development/outcomes plan must be summarized in a written report signed by both the faculty member and the administrator.
- Chair [Dean in non-departmentalized colleges] issues final evaluation.
- The final evaluation and development/outcomes plan should be forwarded to the Dean's office [Provost's office for non-departmentalized colleges] by
February 1. The portfolio is made available for the Dean's [Provost's] review, upon request.

- Notification of the outcome of the review should be sent to the Office of Faculty Affairs by the Dean by May 1.

**Appeal Procedures**

In the event the faculty member disagrees with the final evaluation, a written appeal may be filed with the Dean [Provost, for non-departmentalized colleges] by February 15.

The Dean [Provost] must review the portfolio, the peer-authored written report, the faculty member’s optional written response, the Chair’s [Dean’s] final written evaluation, and the faculty member’s written appeal, and meet separately with the faculty member and the administrator to discuss the evaluation.

The Dean [Provost] should issue a decision on the appeal by April 15. No further appeal can be granted.

Following completion of the appeal, if any, a notification of completion of the review should be sent to the Office of Faculty Affairs by the Dean by May 1.

**Notice of Where Evaluation Reports are Maintained**

All materials relating to the comprehensive post-tenure review are maintained in the faculty member’s personnel file in the department. The Dean’s office [Provost’s office for non-departmentalized colleges] keeps the reports.
The University of Mississippi

Post-Tenure Review Policy

I. Purpose, Principles, and Objectives

A. Post-tenure review at the University of Mississippi is developmental in nature and shall be supported by institutional resources for professional development. It is intended to encourage intellectual vitality and proficient levels of performance by all members of the faculty throughout their careers. It is also designed to enhance public trust in the University by ensuring that the faculty community undertakes regular and rigorous efforts to hold all of its members accountable for high professional standards.

The University of Mississippi recognizes that the granting of tenure for university faculty is a vital protection of free inquiry and open intellectual debate. This post-tenure review policy defines a system of periodic peer evaluation that is intended to enhance and protect the guarantees of tenure and academic freedom. It is expressly recognized that nothing in this policy alters or amends the University's policies regarding removal of tenured faculty members for cause (which are stipulated in the Handbook for Faculty and Staff) or shifts the burden of proof placed on the University in such actions.

B. The following principles from the American Association of University Professors shall be considered a part of the University's post-tenure review policy, and all procedures developed and actions taken shall be in accordance with these principles.

1. Post-tenure review must ensure the protection of academic freedom as defined in the 1940 Statement of Principles. The application of its procedures, therefore, should not intrude on an individual faculty member's proper sphere of professional self-direction, nor should it be used as a subterfuge for effecting programmatic change. Such a review must not become the occasion for a wide-ranging fishing expedition in an attempt to dredge up negative evidence.

2. Post-tenure review must not be a reevaluation or revalidation of tenured status as defined in the 1940 Statement. In no case should post-tenure review be used to shift the burden of proof from the institution's administration (to show cause why a tenured faculty member should be dismissed) to the individual faculty member (to show cause why he or she should be retained).

3. The written standards and criteria by which faculty members are evaluated in post-tenure review should be developed and periodically reviewed by the faculty. The faculty should also conduct the actual review process. The basic standard for appraisal should be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with his or her position, not whether the faculty member meets the current standards for the award of tenure as those might have changed since the initial granting of tenure.
4. Post-tenure review should be developmental and supported by institutional resources for professional development or a change of professional direction. In the event that an institution decides to invest the time and resources required for comprehensive or "blanket" review, it should also offer tangible recognition to those faculty members who have demonstrated high or improved performance.

5. Post-tenure review should be flexible enough to acknowledge different expectations in different disciplines and changing expectations at different stages of faculty careers.

6. Except when faculty appeals procedures direct that files be available to aggrieved faculty members, the outcome of evaluations should be confidential, that is, confined to the appropriate college or university persons or bodies and the faculty member being evaluated, released otherwise only at the discretion or with the consent of the faculty member.

7. If the system of post-tenure review is supplemented, or supplanted, by the option of a formal development plan, that plan cannot be imposed on the faculty member unilaterally, but must be a product of mutual negotiation. It should respect academic freedom and professional self-direction, and it should be flexible enough to allow for subsequent alteration or even its own abandonment. The standard here should be that of good faith on both sides--a commitment to improvement by the faculty member and to the adequate support of that improvement by the institution--rather than the literal fulfillment of a set of non-negotiable demands or rigid expectations, quantitative or otherwise.

8. A faculty member should have the right to comment in response to evaluations, and to challenge the findings and correct the record by appeal to an elected faculty grievance committee. He or she should have the same rights of comment and appeal concerning the manner of formulating, the content of, and any evaluation resulting from, any individualized development plan.

9. In the event that recurring evaluations reveal continuing and persistent problems with a faculty member's performance that do not lend themselves to improvement after several efforts, and that call into question his or her ability to function in that position, then other possibilities, such as a mutually agreeable reassignment to other duties or separation should be explored. If these are not practicable, or if no other solution acceptable to the parties can be found, then the administration should invoke peer consideration regarding any contemplated sanctions.

10. The standard for dismissal or severe sanction remains that of adequate cause, and the mere fact of successive negative reviews does not in any way diminish the obligation of the institution to show such cause for dismissal in a separate forum before an appropriately constituted hearing body of peers convened for that purpose. Evaluation records may be admissible but rebuttable as to accuracy. Even if they are accurate, the administration is still required to bear the burden of proof and demonstrate through an adversarial proceeding not only that the negative evaluations rest on fact, but also that the facts rise to the level of adequate cause for dismissal. The faculty member must be afforded the full procedural safeguards set forth in the 1958 Statement on Procedural Standards in Faculty Dismissal.
Proceedings and the Recommended Institutional Regulations on Academic Freedom and Tenure, which include, among others, the opportunity to confront and cross-examine adverse witnesses.

II. Procedures

All tenured faculty members, including administrators, shall undergo a post-tenure review when he or she receives 3 "unsatisfactory" annual reviews in any period of 6 consecutive years, excluding years when the faculty member is on leave. For the purpose of this document, an annual review conducted by the Department Chair or Dean or Provost shall be deemed satisfactory unless the Chair's or Dean's or Provost's review states expressly that "for the purpose of post-tenure review, this shall be considered an unsatisfactory review." Post-tenure review for tenured faculty members holding administrative appointments will supplement, not substitute for, other assessments of their performance of administrative duties. It is the responsibility of the administrator conducting the annual review to determine when a post-tenure review is to be triggered and to be familiar with the pertinent evaluation criteria.

A. Evaluation Criteria
The standard for evaluation shall be whether the faculty member under review discharges conscientiously and with professional competence the duties associated with his or her position. Consistent with this standard, faculty in each department (or other relevant unit) establish guidelines for achieving tenure and expectations for performance of tenured faculty. The criteria for a post-tenure review will be those for the current rank and title of the faculty member, unless a more specific set of written criteria is approved by the appropriate dean and the office of the provost at least one calendar year prior to the application of a formal post-tenure review of a faculty member.

B. Documentation
The following documentation shall constitute the post-tenure review of all faculty members:

1) a copy of a current curriculum vitae;
2) a copy of the faculty member's annual activity reports from each year since the previous review;
3) a copy of the chair's annual evaluation of the faculty member and any available information about the faculty member's teaching effectiveness from each year since the previous review;
4) copies of reviews of administrators by other administrators; and
5) a concise cover memorandum from the faculty member summarizing his/her accomplishments in the areas of teaching, research, and service since the previous review and outlining his/her plans in these areas for the next six years.

C. Review Committees and Procedures

1) Department faculty Review
a) Composition
The department faculty level review is to be conducted by a committee of tenured, non-administrative, academic faculty of the department faculty in which the faculty member has primary appointment. The committee shall consist of at least three members. It is the responsibility of the department faculty to specify the composition of the review committee. For example, a department faculty may choose to employ a committee of the whole, a steering/advisory committee, or an ad hoc committee.

The department faculty may have a single committee for all candidates in a given year, or may choose to constitute several committees for this purpose. For faculty members with joint appointments involving budgetary commitments from more than one department faculty, members representing the secondary department faculty shall be included on the committee, but the primary department faculty will in all cases have a majority of committee members. In cases in which a department faculty does not have three tenured, non-administrative, academic faculty members, an outside member (or members) shall be appointed by the department faculty head, with the approval of the relevant dean.

b) Review
After examining the documentation described above, the departmental faculty post-tenure review committee shall prepare a concise written report assessing the faculty member's performance based on the criteria outlined above. The committee's report shall include a notation indicating whether the faculty member's performance is judged to be satisfactory or unsatisfactory, a narrative text indicating the rationale for the assessment, and a record of the committee's vote. In the case of associate professors, the report shall also include guidance on activities that would enhance prospects for a successful promotion review.

Copies of all reports shall be kept on file in the departmental faculty office and shall also be forwarded to the faculty member under review, the dean of the appropriate college or school, and to the Office of the Provost.

In the case of an unsatisfactory review, the committee and the faculty member's Chair shall (after consultation with the appropriate unit head, dean, and faculty member) outline and communicate to the faculty member a formal, written plan for corrective action and professional development. This plan may include University resources to help the affected faculty member enhance research efforts or retool teaching skills. If the plan does include a requirement for additional resources or a change in the faculty member's assignment, this must be endorsed in writing by the pertinent administrator. The plan shall include clearly-defined and specific goals, an outline of and timetable for activities to be undertaken, and an agreed-upon monitoring strategy.

Faculty members who receive unsatisfactory post-tenure reviews (and whose unsatisfactory reviews are upheld should they be appealed, for which see below) shall be reviewed again using the above procedure in the third year following the initial review. If this subsequent
review results in a satisfactory rating by the departmental faculty committee, the affected faculty member's post-tenure review clock will be restarted at the beginning of a new 6-year period. If the subsequent review again yields an unsatisfactory rating (and this rating is upheld on appeal, for which see below), the matter shall be forwarded to the Office of the Provost for further appropriate action. This action may include reassignment of the individual to a non-faculty position within the University or to initiate procedures for the termination of tenured faculty for just cause.

2) University-level Appeal

a) Composition

Faculty who receive unsatisfactory post-tenure reviews from their departmental faculty committees may appeal these decisions to the University's Sabbatical Leave Review Committee. Such appeals must be filed, in writing, with the chair of the Committee on Academic Freedom and Faculty Responsibility within 15 working days of the faculty member's formal, written notification of a negative review.

b) Review

The Sabbatical Leave Review Committee shall have the authority to review all documents related to matters appealed to it and may, at its discretion, convene a hearing to reconsider an unsatisfactory evaluation. The committee shall have the authority to reverse an unsatisfactory evaluation, remand a matter to the appropriate departmental faculty committee for further evaluation, and amend plans for corrective professional development. The committee shall issue a written report outlining the rationale for its decisions, and shall forward copies of such decisions to the affected faculty member, departmental faculty chair, appropriate dean, and the Office of the Provost.
UNIVERSITY OF MISSOURI

IFC STATEMENT ON FACULTY WORKLOAD

INTRODUCTION AND BACKGROUND

Due to increasing pressure on budgets, increasing student enrollment, and increasing public scrutiny, more attention has been focused on the workload of faculty in today’s public universities. After several discussions, the UM Intercampus Faculty Council (IFC) created a task force to examine the faculty workload policies. The committee’s charge was to determine how to create policies where all faculty members could flourish, the workload is more or less evenly distributed within departments and across units, there is a shared sense of responsibility for monitoring workload, and where faculty have the greatest degree of autonomy in carrying out their work.

The task force was comprised of one senior faculty member from each of the UM campuses and was staffed by the Office of Executive Vice President for Academic Affairs. The committee members held discussions with IFC members about key issues, consulted various University of Missouri school and college workload policies, consulted relevant UM policy documents, and interviewed current UM department chairs on all four campuses. The committee also looked at a number of other workload policies from peer institutions to get a sense of potentially useful practices adopted elsewhere.

After reviewing the information noted above – the committee drew the following initial conclusions:

→ The existing UM Collected Rules and Regulations on faculty workload (310.080) appear to be fairly well written. The CR&R provide for variable workloads by academic unit and include approvals by the dean and provost to ensure they are meeting department and college expectations before adoption. A formal five-year review of the workload policy is required as part of the departmental five-year reviews.

→ CR&R 310.080 recommends different assignments for faculty members based on the needs of the departments. It specifically states, “The Department Chair, in consultation with the individual faculty member, will determine a faculty member's assignments and distribution of effort in the areas of teaching, research, service and administration relative to the departmental workload standard. Assignments among faculty members will vary to meet the objectives of the department.”

→ The committee members recognized that diverse academic units have variable needs and carry out their work differently. Thus, prescriptive policy statements that apply to all colleges and schools on each campus would not be suitable.
IMPLEMENTATION ISSUES

Despite the flexible nature of the current CR&R on faculty workload, conditions exist where some faculty members take on a much greater load than others. Previous practices and cultural norms can at times trump concerns for equity, and department chairs report feeling handicapped in ensuring that all faculty members carry a fair share of the department’s responsibilities. In interviewing department chairs, task force members reported that:

- A number of “deals” exist with faculty members that reduce their teaching load or create special arrangements.
- Department chairs feel they are bound to the “deals” – although they may not have been involved in making them. At times deals are made at the dean or provost level.
- Chairs and associate deans often report that they would like concrete guidelines they can draw upon instead of negotiating with each faculty member. They would also like alternative benefits they can offer for special assignments other than a “reduced teaching load” that is often used.
- In many cases chairs are not well informed on the best practices and can be persuaded to accept arrangements with faculty members they later find are not in the best long-term interest of the department.
- Some chairs report they find it easier to “pick up the extra slack” by personally teaching more or taking on other responsibilities when extra effort is needed, rather than push those who are not sharing the load.
- Chairs often do not know how to address performance issues with faculty to ensure the department workload is implemented fairly across the unit without disrupting the departmental culture.
- There is a general recognition that different faculty have different strengths in teaching, research and service. However, there is resistance to adjusting the standard workload where most faculty members have roughly equal assignments of teaching and research to address imbalances.
- For any workload adjustments to be successful, chairs feel they need the support of their deans and provosts so that all departments in a college or school adopt similar approaches.
POLICY STATEMENTS

The attached document articulates a number of issues and principles that can be used to create equitable workload assignments for academic departments. Embedded are the assumptions that:

- Finding a fair way to distribute work among the tenured/tenure track/non-tenure track faculty is critical in today’s climate.
- It is a campus-wide shared responsibility to implement workload policies that are flexible, make adjustments for individual faculty talents, vary based on the special talents of the faculty, and produce conditions where all faculty members feel they can be successful.
- Practices that foster “self-monitoring” and flexibility in allocating faculty workload assignments are preferred over prescriptive policies or restrictive rules written at the university system level.
- One strategy for promoting an equitable workload distribution is to make the details of the department members’ workload assignments transparent. A document listing workload assignments can be distributed each year explaining how faculty members meet their commitment to the department and college.
- Faculty members, such as endowed chairs, whose appointments include a reduced teaching assignment, are expected to meet higher research and scholarship standards to justify the reduced teaching load. The department chair should review these workload assignments annually.
- Any changes in current practices must include cooperation among department chairs, deans, and provosts. This includes monitoring campus and college workload policies, reviewing and monitoring instructional waivers, and reviewing the productivity of departments in the context of the campus and national norms for peer institutions.
- The IFC should work with the campus provosts to identify best practices and proper training for department chairs. For any workload policy to be effective it must be reviewed regularly, articulated clearly in writing, and administered fairly. Further, chairs must feel they are supported fully by deans and provosts as they implement agreed upon faculty workload policies.
- IFC should present their recommendations to the chancellors and general officers to create support and buy-in from the very top levels of the University.

UM Collected Rules and Regulations on Faculty Workload - 310.080
http://www.umsystem.edu/ums/rules/collected_rules/faculty/ch310/310.080_regular_faculty_workload_policy

UM Collected Rules and Regulations on Non-tenure Track Faculty – 310.035
http://www.umsystem.edu/ums/rules/collected_rules/faculty/ch310/310.035_non-tenure_track_faculty
FACULTY WORKLOAD: A RATIONALE

The University of Missouri holds itself to a high standard of accountability. Like all universities, a significant portion of the University of Missouri budget is devoted to faculty costs. Hence, it is crucial that faculty costs be allocated efficiently and effectively to best support the teaching, research, and service missions of the University system. Currently, faculty workloads are allocated differently across departments, colleges, and campuses. If effectively designed, a workload allocation process can enhance faculty productivity by capitalizing upon the relative strengths of the individual faculty members. Further, a well-designed faculty workload policy can create rewards for faculty members that perform admirably in their respective areas of expertise. Such rewards might include favorable annual performance reviews, above-average salary increases, or special assignments.

This document seeks to establish principles that departments can use to efficiently allocate workload across faculty members to the benefit of the collective faculty in the university¹. The motivation for the document is twofold. First, it will provide academic officers and department heads with a template for allocating the unit’s workload to insure equity in distributing a department’s duties. Second, in the spirit of accountability, it will help to inform external stakeholders about the workload involved in the University’s units and how that workload is allocated among faculty members to achieve the most effective combination of activities.

An academic department or college draws upon a number of different faculty resources to accomplish its goals. That includes tenured faculty, tenure-track faculty, non-tenure track faculty, and adjunct and visiting faculty. Non-tenure track faculty members take on a variety of roles in teaching, research and advising that are essential to the academic unit. The workload expectations for non-tenure track faculty are more focused than those for the tenure/tenure track faculty and detailed guidelines are provided in section 310.035 of the Collected Rules and Regulations. Section 310.035 also specifies that non-tenure track faculty be given clear expectations and evaluated annually to provide guidance for their workload and role expectations (see CR&R 310.035 sections C, D, G, and I). Therefore, the focus of this document is on the workload for tenure and tenure track faculty.

For any workload policy to be effective, the overarching principle is that department faculty members should focus on what they do best. Further, viewing productivity from a department-wide perspective is more useful than evaluating the productivity of

¹ Many Universities have such a policy and process. The task force reviewed several such documents and found the working document at Drexel University to be especially well conceived. Thus, the Drexel University document was used as a template for developing this document and several sections draw heavily upon the document.
individual faculty members. The faculty workload in a department typically includes teaching, research/scholarship/creative activity, and service responsibilities. The teaching activity is the most quantifiable component. Department heads determine the courses that will be offered each semester and the number of sections of these courses. The teaching workload is then allocated to faculty members based on their pre-determined credit hour teaching requirement.

Adhering to the principle that faculty should focus on what they do best, the teaching assignment for active and successful researchers could be reduced so that these faculty members can maximize the research, publications, grants, or other scholarly activities as defined by the academic department. Those faculty members who are less prolific on the research dimension but are effective teachers then could cover a greater percentage of the teaching workload.

Key to the success of the process is that faculty members who are asked to invest a greater amount of time in either the teaching or research missions are rewarded when they excel in that dimension. It follows that a well-designed and administered workload allocation process can result in a situation where all faculty members experience better performance evaluations. The prolific researcher will have more time to work on publications, grants, or other scholarly activities, and the prolific teacher would be handsomely rewarded for outstanding results in the classroom.

It must be emphasized here that the awarding of tenure and promotions from Assistant Professor to Associate Professor and from Associate Professor to Professor requires excellence in teaching, scholarly activity, and service. Hence, Assistant Professors and Associate Professors seeking tenure and/or promotion will not be able to gain such promotion solely on only one of the dimensions of academic activity.
WORKLOAD PHILOSOPHY

The overarching principle for assignment of faculty workloads is to assure that departments fulfill their responsibilities in teaching, research, and service. Working within a department’s allocated budget requires a variable workload program that allows faculty members to contribute by participating in activities that they do best – and at the same time accomplish the full mission of the academic department. Missions and instructional pedagogies differ across departments, thus the responsibility for determining specific faculty workloads under this principle rests with the department head subject to the approval of the Dean and the Provost.

STEP 1 - DETERMINING UNIT RESPONSIBILITIES

Each department should develop a normative model as a framework for workload assignments. This normative model will reflect the following from each academic dimension:

(1) Teaching: the number and types of students to be served, maximum and minimum class sizes, and other pedagogical considerations unique to that department;
(2) Research: goals for grant proposal production, publications, and other creative activities;
(3) Service: the service obligations for faculty members in that department to the department, the school or college, the university, and the external community.

Modifications should occur periodically in any or all of these dimensions as the department’s needs and goals change.

STEP 2 - ALLOCATION OF WORKLOAD RESPONSIBILITIES TO FULL-TIME FACULTY

The overall workload responsibilities within each department identified in step one are allocated in a manner that maximizes the overall productivity of the department while allowing each individual faculty member to contribute in alignment with his/her professional strengths. While no set formula for assignments of workload responsibilities can be set forth here because of the variances among departments and colleges, the following concepts are assumed:

(1) Research-active faculty in departments will have a normal teaching assignment for that unit with the remainder of their assignments in research and service.²

² The “normal” teaching load in terms of courses might be reduced because of assignment to especially large classes or time intensive course preparations.
(2) Prolific researchers may have their teaching and/or service workload reduced so that they may further the department’s research mission.

(3) When a prolific researcher has a reduced teaching responsibility and/or service responsibility - that responsibility will be assigned to another faculty member in the department that is prolific on the teaching and/or service dimension.

(4) It is likely that the tenured/tenure track faculty members will not be able to fulfill the entire teaching responsibility of a department. In these cases, the remaining obligations will be allocated to non-tenure track faculty, adjunct faculty and to teaching assistants consistent with all applicable policies at that department, college, and campus.

### STEP 3 - FACULTY PERFORMANCE REVIEWS

Each year, performance review data serve as the basis for merit-based salary increases and for workload assignments for the following academic year. These performance reviews should be based on the percentage weight assigned to each academic activity dimension described previously. In other words, if a faculty member has agreed to emphasize his/her teaching strengths via a relatively heavier teaching load, that faculty member should qualify for merit-based pay rewards based commensurately on his/her performance on that dimension. Similarly, the faculty member’s performance in the current year on each dimension will inform the determination of that faculty member’s workload allocation across the three academic dimensions for the upcoming year. If appropriate, a department institute an appeal processes for faculty members who want to review their workload assignment for the upcoming academic year.

### STEP 4 - ASSESSMENT OF THE WORKLOAD POLICY

Academic departments in conjunction with college and campus instructional committees and campus academic officers should continually assess the effectiveness of the workload policy in facilitating fulfillment of the workload obligations of that department in the most efficient and effective manner. One strategy would be to assess the overall productivity of each faculty member on a three-year cycle based on the different assignments they have agreed to undertake. This avoids hasty judgments about success in new roles and allows time for faculty members to develop expertise when new skills are being developed. It also allows faculty members to amend their percentage distribution of activities, and re-align their workload as their career focus changes.
FIT AND APPROPRIATE MATCH

Ensuring that faculty workload assignments are an appropriate match with their talents and that there is an appropriate balance of duties are important considerations in creating an effective workload policy. This requires linking the work that faculty members are assigned to their annual merit evaluations and tailoring their evaluations instead of using a “one-size fits all” approach. Faculty members and departments should also acknowledge that there are specific requirements for tenure or promotion and be mindful of those in making workload assignments. Future workload assignments may be more flexible - based on the needs of the department and college and the faculty members’ talents.

The total workload will likely require duties at the university-wide level and at the school, college, and department levels. These units have different goals within the university-wide mission and strategic plan. Thus, faculty work assignments will vary among and even within the colleges and schools based on the college and department mission and goals.

FAIRNESS

The fairness of assignments refers to the manner in which the workload is allocated to faculty so that they are working in areas where they have strength and professional competence and the load is equivalent even if varying from the standard teaching/research/service allocations. Equally important, the work of the department should be distributed among the faculty members based on the specific needs of the department and not just based on what the faculty member prefers to do. Transparency in reporting each faculty member’s contributions to the total department workload will provide an overall picture and be used to guide the ‘appropriate’ activities of the department based on the overall workload.

THE FOLLOWING FUNCTIONS ARE ILLUSTRATIONS TO BE CONSIDERED FOR THE PURPOSE OF DETERMINING WORKLOAD.

INSTRUCTION

Faculty who are assigned instruction as a component of their workload must demonstrate teaching excellence based on their depth of their expertise and scholarship. The following are examples of different instructional assignments: regular teaching assignments, development of innovative courses, leadership in designing new curriculum, leadership for multi-section courses, or carrying an extensive load of independent study courses, and theses or dissertations.
Faculty members with assignments that include research, scholarship, and other creative activities should demonstrate excellence in fulfilling that obligation. The following items are examples of research or other creative scholarly activities: publication of books, articles, monographs, and other scholarly works, competitive grants and contracts, patents, distinguished consulting, juried works and exhibitions, notable creative works, plenary talks at national and international conferences, and other invited presentations (e.g., colloquium talks).

University, Professional, and Public Service

University service includes activities related to participation in shared governance and other duties that contribute to the success of the University in accomplishing its mission. This includes activities such as involvement in campus governance, leadership roles in campus committees, special consultation to academic or administrative units on campus, providing teaching or conducting workshops for members of the campus community, etc.

Professional, academic or public service may involve such items as service to professional societies, serving as an editor for professional journals, providing consultation in one’s area of expertise to governmental agencies or commissions, developing strategies to attack persistent problems locally or nationally, field studies, consultation with local or state agencies, working with local high school teachers and students, etc. This type of service is applying one’s special knowledge, research skills, teaching or technical expertise in areas to provide a service to the university, the local or regional community, or the nation.
Post-Tenure Review Policy

Tenured Faculty (Post-Tenure Review)

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Purpose

The following post-tenure review policy provides a framework for implementation of the Trustee Policy for Review of Tenured Faculty, which was first effective September 1, 1998 and amended effective September 18, 2009.

Post-tenure review is a systematic process for the periodic, comprehensive review of the performance of all faculty members having permanent tenure and whose primary duties are teaching, research and/or service. The goals of post-tenure review are to promote faculty development, ensure faculty productivity and provide accountability. The post-tenure review process should respect the basic principles of academic freedom. Post-tenure review does not abrogate, in any way, the due process criteria or procedures for dismissal or other disciplinary action established under the Trustee Policies and Regulations Governing Academic Tenure. The policies and procedures presented below incorporate the basic principles of the policies established by the Board of Governors in Sections 400.3.3 and 400.3.3.1 of the UNC Policy Manual.

Policy

Each faculty member is subject to post-tenure review no less often than every five years following the conferral of permanent tenure. Reviews must examine all aspects of a faculty member’s academic performance and must involve faculty peers. While annual performance reviews may inform the post-tenure review process, they are not a substitute for a comprehensive post-tenure review. Comprehensive evaluations conducted for other purposes, such as a review for promotion, may be substituted for or combined with post-tenure review. A review may be delayed for compelling reasons approved by the Provost.

Procedures

The unit head shall notify a faculty member at least six months in advance of an upcoming post-tenure review.

Each appointing unit has developed written policies and procedures that describe the expectations the unit has of its faculty, the manner in which the post-tenure review process is conducted, and the procedures by which persons will be designated to conduct reviews. In the remainder of this document the designated persons will be referred to as the Post-Tenure Review Committee. The review process must involve faculty peers and should be conducted by a minimum of three persons. The faculty member being reviewed shall not participate in the selection of members of the Post-Tenure Review Committee. The post-tenure review process should be flexible enough to acknowledge different expectations in different disciplines and changing expectations at different stages of faculty careers.

The review should involve an examination of qualitative and quantitative evidence of all relevant aspects of a faculty member’s professional performance over at least the previous five years in relation to the mission of the department, school and institution. If a faculty member’s responsibilities do not include teaching, research and public service, but instead focus primarily on one or two of these areas, the review shall take this allocation of responsibilities into account. Each faculty member being reviewed should provide a concise summary of accomplishments and plans. Additional evidence for the review may include annual merit reviews, a current curriculum vita, copies of publications, evaluations of teaching, and other documentation of contributions and accomplishments.

The Post-Tenure Review Committee will consult with the academic unit head and provide to the faculty member and the unit head a written summary of its conclusions with regard to the faculty member’s overall performance and, where appropriate, its
The faculty member being reviewed must be given an opportunity by the unit head to provide a written response to the report of the Post-Tenure Review Committee. The unit head maintains a record of the Committee's report and any response to it as a part of the faculty member's confidential personnel file within the unit. The report and any response shall also be reviewed by the administrative officer to whom the unit head reports. When the unit head is being reviewed, the administrative officer at the next higher level assumes the function of the unit head in the review process and the report of the Post-Tenure Review Committee and any response shall be reviewed by the administrative officer to whom that individual reports.

The post-tenure review process should identify and recognize outstanding performance by faculty members. The process may also identify specific areas in which faculty members can improve and, in such cases, the process should result in specific recommendations and plans for improvement. For faculty members whose overall performance reflects substantial deficiencies, the report of the Post-Tenure Review Committee shall include a statement of the faculty member's primary responsibilities, specific descriptions of shortcomings as they relate to the faculty member's assigned duties, and a more comprehensive plan for improvement (a development plan) should be prepared.

Development plans should be established jointly by the faculty member being reviewed and the unit head on the basis of the evaluation and recommendations provided by the Post-Tenure Review Committee. Faculty development plans should be individualized and flexible, taking into account the faculty member's intellectual interests, abilities, and career stage, as well as needs of the unit and institution. The development plan should describe changes, if any, to be made in the faculty member's teaching, research, and/or service responsibilities, establish clear goals, specify steps designed to achieve those goals, define indicators of goal attainment, establish a clear and reasonable time frame for the completion of goals, identify any resources available for implementation of the plan, and state the consequences of failure to attain the goals. The use of mentoring peers is encouraged, and progress meetings with the academic unit head must occur on at least a semi-annual basis during the specified time frame. Annual reviews should also be used to assess progress toward goals specified in the plan. The unit head should acknowledge in writing a faculty member's clear improvement and the successful completion of a development plan.

A faculty member whose overall performance has been found to show substantial deficiencies and for whom a development plan has been recommended will have the right to appeal the findings of the Post-Tenure Review Committee and the recommendation for a development plan to the dean or next higher level administrative officer beyond the unit head.

In the case of a faculty member who fails to complete a development plan successfully and whose performance continues to be deficient, the unit head should notify the dean, who will consider whether grounds for dismissal or other disciplinary action exist under the Trustees Policies and Regulations Governing Academic Tenure. Dismissal or severe sanction may be imposed only in accordance with and on the grounds stated in the Trustees Policies and Regulations Governing Academic Tenure.

Faculty members may grieve matters related to post-tenure review to the Faculty Grievance Committee under Section 607 of the Code of the University of North Carolina during their term of employment.

Records

Copies of each unit’s post-tenure review procedures, as revised from time to time, will be filed with the dean or Provost, as appropriate. Unit heads will maintain a list of the faculty members reviewed each year, a record of completed reviews and responses to the reviews, the names of all faculty members for whom a development plan was recommended, and a copy of the development plans. Deans will file annual reports to the Office of the Provost giving the following information:

- Names of faculty members reviewed during the previous year,
- Names of faculty members for whom a development plan was recommended and established, and
- Names of faculty who are subject to review, but for whom a delay was approved by the Provost along with the compelling reasons for the delay.
PART V: CUMULATIVE PERFORMANCE REVIEW OF TENURED FACULTY

A. GENERAL INFORMATION

1. Policies and Procedures Governing Cumulative Performance Review. The policies and procedures governing cumulative review of tenured faculty are given in the University of Tennessee Board of Trustees’ policy (http://www.tennessee.edu/system/academicaffairs/docs/BdTenurePolicy.pdf) and the Faculty Handbook (3.8.3). Cumulative performance reviews for tenured faculty are triggered by evaluations from the annual review of tenured and tenure-track faculty (see Part II of this manual).

2. Initiation of a Cumulative Performance Review. Board of Trustees’ policy mandates that a cumulative performance review is triggered for a faculty member in the following circumstances:

   a. A faculty member whose annual review results in a rating of unsatisfactory in any two of five consecutive years;

   b. A faculty member whose annual review results in any combination of unsatisfactory or needs improvement ratings in any three of five consecutive years.

3. Notification of the Cumulative Performance Review. The department head will notify in writing any faculty member who qualifies for a cumulative performance review under the conditions outlined in Part V.A.2 of this manual. This notification will be included in the department head’s narrative on the Faculty Annual Review Form as part of the normal reporting process for the annual review of faculty as described in Part II.B of this manual.

B. REVIEW MATERIALS

1. General Information. The materials to be used in the cumulative performance review of a tenured faculty member should include at least the following:

   a. The Faculty Annual Review Forms and supporting documents for the preceding five years;

   b. Review materials for the faculty member’s activities in teaching, research/scholarship/creative activity, and service during the year immediately preceding the cumulative review (i.e., the equivalent of annual review materials, as referenced in Part II.B.2 of this manual);
c. Documentation, not included in the annual review summaries, required by departmental bylaws, that relates to the faculty member's activities for the preceding five years; and

d. A current curriculum vitae.

C. REVIEW PROCESS

1. Establishing a Cumulative Peer Review (CPR) Committee. Within 30 days of receipt of notification that a cumulative review has been triggered, the college dean shall appoint a peer review committee consisting of at least five members (including the chair) and shall determine its chair. The committee shall be composed of appropriate tenured faculty members at the same or higher rank as the faculty member under review drawn from departmental faculty members and appropriate faculty members from outside the department. One member of the peer review committee shall be selected from a list submitted by the faculty member, one member shall be selected based on a recommendation from the department head, and at least two additional members shall be selected based on nominations by the Faculty Senate (one of which shall be from outside the department). The department head may not serve on the peer review committee.

2. The Committee’s Deliberations. The peer review committee shall examine the above referenced review materials and shall make an evaluation of the faculty member’s performance in the categories of teaching, research/scholarship/creative activity, and service. The committee shall then reach an overall assessment of the faculty member’s performance over the preceding five years by indicating whether the faculty member satisfies expectations for his or her rank or fails to satisfy expectations for his or her rank and shall comment on specific weaknesses and/or strengths in performance. The peer review committee evaluation shall be summarized on the Cumulative Peer Review Report form (see Appendix A of this manual).

3. Reviewing and Signing the Cumulative Peer Review Report. The faculty member reviews and signs the Cumulative Peer Review Report. The faculty member’s signature indicates that he or she has read the entire report, but the signature does not necessarily imply agreement with the findings.

4. Transmitting the Cumulative Peer Review Report. The committee chair forwards the Cumulative Peer Review Report to the department head, the college dean, the chief academic officer, and the faculty member under review.

5. Responding to the Cumulative Peer Review Report. The faculty member may prepare a written response to the Cumulative Peer Review Report. This response shall be copied to the department head, the college dean, the chief academic officer, and the CPR Committee. The faculty member shall be allowed two weeks from the date of receipt of the report from the committee to submit any written response. If no response is received after two weeks from the date of receipt, the faculty member relinquishes the right to respond.
D. FOLLOWING UP ON THE CPR COMMITTEE’S RECOMMENDATION

Additional information regarding the cumulative performance review process and its potential outcomes is set forth in the Revised Policies Governing Academic Freedom, Responsibility, and Tenure, as adopted by The University of Tennessee Board of Trustees in June, 2003, and referenced above in Part V.A.1. Appendix C of this manual contains the text of the board policy.
APPENDIX C:

UNIVERSITY OF TENNESSEE

BOARD OF TRUSTEES POLICY

GOVERNING CUMULATIVE PERFORMANCE REVIEW
Excerpted from: Policies Governing Academic Freedom, Responsibility, and Tenure

June 2003

A comprehensive, formal, cumulative, performance review is triggered for following tenured faculty members:

- a. a faculty member whose annual review is Unsatisfactory in any two of five consecutive years;
- b. a faculty member whose annual review is any combination of Unsatisfactory or Needs Improvement in any three of five consecutive years.

Each campus shall establish policies and procedures for peer evaluation of the faculty member’s cumulative performance. Within thirty days of being triggered, a CPR Committee shall be convened by the Dean, who shall determine its chair. This committee shall be composed of appropriate, same or higher rank, tenured departmental faculty members (excluding the Head), and appropriate faculty (same or higher rank) from outside the department. The faculty member being reviewed and the Head may each name a campus tenured professor (same or higher rank) to the committee, which normally should have at least five (5) members including the CPR Committee chair, and at least two additional faculty members nominated by the Faculty Senate (one departmental faculty member [same or higher rank] and one non-departmental faculty member [same or higher rank]). The Committee chair shall forward the committee consensus recommendation to the Head, Dean and Chief Academic Officer. Performance ratings for cumulative reviews shall be as follows:

- Satisfies Expectations for Rank
- Fails to Satisfy Expectations for Rank

If the CPR Committee consensus rates the faculty member’s performance as Fails to Satisfy Expectations for Rank, it may develop with the affected faculty member and Head a written CPR Improvement Plan (which may include, but shall not be limited to, skill-development leave of absence, intensive mentoring, curtailment of outside services, change in load/responsibilities), normally of up to one calendar year, and a means to assess its efficacy, with the plan to be reviewed by the Dean and approved by the Chief Academic Officer; or the committee may recommend to the Dean and Chief Academic Officer that the Chancellor initiate proceedings, as specified in the Faculty Handbook, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty
Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).

If the CPR Committee consensus rates the faculty member’s performance as Satisfies Expectations for Rank, the Committee must forward its justification/rationale to the Dean. The Dean must recommend one of the following three actions by the Chief Academic Officer:

a. concur that the faculty member’s performance has been Satisfies Expectations for Rank, that his/her personnel file should show that both the Committee and the Dean concur in a Satisfactory CPR rating, and that a new five-year period annual review cycle will begin; or

b. find that the faculty member’s performance has been Fails to Satisfy Expectations for Rank (including a rationale for that ranking), and recommend that the Chief Academic Officer should require that the CPR Committee develop with the affected faculty member a written CPR Improvement Plan (which may include, but shall not be limited to, skill-development leave of absence, intensive mentoring, curtailment of outside services, change in load/responsibilities), normally of up to one calendar year, and a means to assess its efficacy; or

c. find that the faculty member’s performance has been Fails to Satisfy Expectations for Rank (including a rationale for that ranking), and recommend to the Chancellor that he/she initiate proceedings, as specified in the Faculty Handbook, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).

At the end of the time allotted for a CPR Improvement Plan, the Head, CPR Committee, Dean, and Chief Academic Officer shall send a written consensus report to the campus Chancellor, recommending:

(i) that the faculty member's performance is Satisfies Expectations for Rank and no other action need be taken at this time; or

(ii) that the faculty member’s performance has improved sufficiently to allow for up to one additional year of monitoring of improvement, after which the Head, CPR Committee, Dean, and Chief Academic Officer must by consensus determine if the faculty member’s performance is Satisfies Expectations for Rank or recommend that the Chancellor initiate Proceedings, as specified in the Faculty Handbook, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee); or
(iii) that the Chancellor initiate proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).
2014-15 Guidelines for Comprehensive Periodic Review of Tenured Faculty

1. Introduction

   a. Periodic evaluation of tenured faculty is required by Texas Education Code Section 51.942, Regents’ Rule 31102 and HOP 2-2150, all of which establish that the overriding purpose for faculty evaluation is to support tenure and promote faculty development. UT Austin is recognized for the outstanding quality of its faculty; therefore it is expected that the vast majority of faculty will be found to meet or exceed expectations as a result of comprehensive review.

   b. The following guidelines are to be used for reviews conducted during academic year 2014-15. Nothing in these guidelines shall be interpreted or applied to infringe on the tenure system, academic freedom, due process, or other protected rights, nor to establish new term-tenure systems or to require faculty to reestablish their credentials for tenure.

2. Purpose

   a. Comprehensive periodic review of tenured faculty is intended to enhance and protect, not diminish, the important guarantees of tenure and academic freedom through a positive, thorough, fair, and transparent process.

   b. The purpose of comprehensive evaluation is to:

      • provide guidance for continuing and meaningful faculty development,
      • assist faculty to enhance professional skills and goals,
      • refocus academic and professional efforts, when appropriate,
      • provide assurance that faculty members are meeting their responsibilities to the University and the State of Texas,
      • assess whether the individual is making a contribution consistent with that expected of a tenured faculty member, and
      • form a basis for determining merit raises, honors, awards, and other types of recognition.

3. Responsibility and Scope

   a. The evaluation shall be conducted by a peer committee of tenured faculty overseen by the departmental budget council, extended budget council, or executive committee, and is subject to review and comment by the department chair or dean of a non-departmentalized college or school.

   b. For joint positions, the primary department will be the locus of the evaluation unless the faculty member chooses to designate a joint department of equal or greater percent time. Upon his or her request, the faculty member will be provided an opportunity to meet with the evaluation committee.

   c. Every tenured member of the faculty will undergo a comprehensive review after every six years. The evaluation may not be waived for any active faculty member, but may be deferred in rare
circumstances when the review period coincides with approved leave, comprehensive promotion review, or appointment to an endowed position. A deferral request must be submitted by the department chair via the dean to the Provost’s Office and no deferral may extend beyond one year from the scheduled review.

d. The six-year review period starts with the first full academic year after hire into a tenured position or upon award of tenure via the promotion process. The review period restarts at the time of promotion to full professor, or appointment as dean, provost, or president. Thereafter, the review will be conducted in the Fall semester following completion of six full academic years of service.

e. Except for leaves occurring in the sixth year, periods when a faculty member is on leave will still count towards the six-year requirement. For administrators whose administrative appointment is reviewed every sixth year, the periodic evaluation shall be scheduled in the same year and the two evaluations coordinated to the extent possible.

f. Faculty due for a six-year evaluation shall receive at least six months’ notice of intent to review. Notice shall be provided no later than March 31 that the review will be conducted the following Fall. All faculty in the sixth full year of service since their last review must be notified unless a deferral has been approved by the Provost’s Office.

g. The comprehensive review shall focus on individual merit relative to assigned responsibilities, and contributions consistent with that of a tenured faculty member. These contributions may vary widely in terms of individual professional responsibilities, for example:
   • 100% administrative duties
   • Teaching in more than one program
   • Substantial duties in advising students

h. For faculty members performing substantial duties in other departments or programs, the evaluation committee shall consider information from others familiar with the faculty member’s performance outside the department, if provided.

i. The basis of the review is the record of teaching, scholarship and service. The following materials for the years under review are to be assessed:
   • Annual Faculty Activity Report (FAR)
   • Current curriculum vita
   • Student evaluations of teaching, including all written student comments
   • Peer teaching observations
   • Additional materials as available, such as
     o any documentation pertaining to the record of teaching, scholarship or service
     o information submitted by the faculty member

4. **Review Categories**

   a. Each faculty member being reviewed shall be placed in one of the following categories:
      • **Exceeds expectations** – a clear and significant level of accomplishment beyond what is normal for the institution, discipline, or unit.
• **Meets expectations** – normally expected level of accomplishment.
• **Does not meet expectations** – a failure beyond what can be considered the normal range of year-to-year variation in performance, but of a character that appears to be subject to correction.
• **Unsatisfactory** – failing to meet expectations in a way that reflects disregard of previous advice or other efforts to provide correction or assistance, or involves prima facie professional misconduct, dereliction of duty, or incompetence.

b. The rating assigned shall be an aggregate based on overall judgment of the faculty member’s activities.

c. To the extent that funds are available, comprehensive evaluations shall be used in determining merit increase recommendations.

5. **Evaluation Results**

a. Before submitting its evaluation, the committee shall notify the faculty member of the results of the preliminary evaluation and provide an opportunity to meet with the committee, submit additional material or comment on the committee’s findings. Written comments submitted by the faculty member will be included with the final evaluation.

b. The evaluation report and supporting materials are submitted to the department chair or dean of a non-departmentalized college or school for review and comment. The department chair or dean may request additional information or ask the faculty evaluation committee to reassess all or portions of the evaluation.

c. If the department chair or dean of a non-departmentalized college or school disagrees with the committee, he or she shall prepare a separate statement that indicates the different rating category and clearly articulates the basis for disagreement with the faculty committee evaluation.

d. The evaluation report(s) and supporting materials shall be submitted to the college for review, if applicable (see Section 6).

e. By February 1, the evaluation committee shall communicate its final evaluation in writing to the faculty member, department chair, and dean. The evaluation shall state the rating category, and include any additional statements provided by the department chair or dean.

f. The written report shall advise the faculty member of any areas that need improvement.

g. If the overall evaluation is unsatisfactory, the written report shall contain sufficient documentation to identify the area(s) of unsatisfactory performance and the basis for the committee’s decision. The report shall refrain from speculating on the reasons why the performance is unsatisfactory.
6. **College-level Review**

   a. The dean of a departmentalized college may establish a college-level committee to review all comprehensive evaluations.
   
   b. The college-level review is advisory to the dean. The dean may request additional information or ask the departmental faculty evaluation committee or department chair to reassess all or portions of the evaluation.
   
   c. If the dean disagrees with the faculty committee evaluation rating, he or she shall prepare a separate statement that includes a rating category and clearly articulates the basis for disagreement.
   
   d. The college-level review must be completed in time to meet the February 1 deadline for communicating results to the faculty member.

7. **Additional Intensive Review**

   a. A more intensive evaluation may be initiated for faculty with an unsatisfactory rating if a) the dean determines that it is needed, or b) the faculty member requests it.

   b. A college-level peer committee shall be appointed by the dean by February 28 in consultation with the department chair and appropriate senior faculty in the college or school. The membership of the committee shall be:
      - representative of the college or school,
      - appointed based on objectivity and academic strength, and
      - comprised of faculty of the same or higher rank as the faculty member being reviewed.

   c. The peer committee may request further information from the faculty member under evaluation. Upon his or her request, the faculty member will be provided with the opportunity to meet with the evaluation committee.

   d. Once constituted, the committee shall report its findings within three months. The result of the evaluation will be communicated in writing to the faculty member and to the department chair and dean for appropriate administrative action, if any.

8. **Faculty Development Support**

   Faculty members, regardless of review category, whose performance in one or more areas of contribution indicates they would benefit from assistance may be placed by a department chair or dean on a development support plan and referred to available institutional support, such as teaching effectiveness assistance, counseling, or mentoring in research issues/service expectations. Establishing a development support plan is not a disciplinary action. It is an instrument for committing to specific professional development goals and strategies for the upcoming year.

9. **Unsatisfactory Rating**

   a. For all faculty ultimately receiving an unsatisfactory rating, the dean, in consultation with the department chair, faculty member, and provost, shall establish a faculty development support plan within 30 days of receiving the written evaluation. Should the 30-day period end after the
conclusion of the academic year it may, by mutual agreement, be extended until September 15. The plan will:

- include a follow-up schedule (with specific dates), benchmarks, and tangible goals for evaluating improved performance,
- indicate the University resources available to provide appropriate support for the faculty member in achieving the goals of the plan, and
- indicate who will monitor the implementation of the plan and support the faculty member through the process (for example, a faculty mentor).

b. A copy of the written evaluation and development plan shall be submitted to the Provost’s Office.

c. The department chair, in consultation with the peer review committee, will assess evidence of improvement over the subsequent academic year and, if insufficient, take appropriate administrative action. A one-year status report is to be submitted to the dean and provost by October 1.

10. Disciplinary Action

If incompetence, neglect of duty, or other good cause is determined to be present, appropriate disciplinary action, up to and including review for termination, may be initiated in accordance with due process procedures of the Regents’ Rules and Regulations Rule 31008, and Handbook of Operating Procedures Section 2-2310.

11. Authority and Responsibility of Department Chair/Dean

Notwithstanding all of the above, department chairs and deans of non-departmentalized colleges or schools are responsible for the academic quality of their instructional programs and activities and are expected to act whenever necessary to maintain their programs at the highest possible levels.

12. Appeals

a. Nothing in this document is intended to alter faculty members’ rights to avail themselves of existing appeals channels, including the next higher administrative level, the Faculty Grievance Committee, Committee of Counsel on Academic Freedom (CCAFR), and the Faculty Ombudsperson.

b. A faculty member may request review for procedural irregularities or academic freedom violations by submitting a request to the CCAFR Chair. A request for review should describe the procedural irregularity being asserted and/or the alleged violation of academic freedom and how it impacted the evaluation outcome.

c. CCAFR shall not review disputes about professional judgments concerning the merits of the faculty member’s record.
13. **Monitoring**

In its role as overseer of the faculty evaluation process, CCAFR shall monitor this review process and report its findings annually, shall receive and advise on such problems or issues referred to it by any member of the faculty, the provost, the president, the chancellor, or the Board of Regents, and shall make whatever recommendations it considers appropriate to improve the process.

14. **Timetable**

**By March 31:** Notify faculty members in the 6th full academic year after their last comprehensive review of intent to review them the following Fall. Provide at least six months’ notice.

**By May 31:** Provide faculty members copies of their previous annual reports and other materials maintained by the department to be assessed during review.

**October 1:** Faculty member submits a CV and annual report for the prior academic year to the department chair (or dean in a non-departmentalized college or school) as well as any additional materials the faculty member wants considered.

**October – December:** Conduct the review.

**By February 1:** Communicate results to faculty member.

**By February 28:** Results of the review are reported to the Provost’s Office. Where appropriate, dean appoints college-level review committee to conduct more intensive review. If intensive review is not initiated, finalize development plan for those with an unsatisfactory rating and submit a copy of evaluation report and development plan to dean and provost.

**By May 31:** College-level review committee reports findings.

**By June 30:** (or September 15) Finalize development plan for those with an unsatisfactory rating from college-level review and submit a copy of evaluation report and plan to dean and Provost’s Office.

Following one full academic year on a development plan:

**By October 1:** Submit status report to dean and Provost’s Office.
SPECIAL REPORT:
Tenure and Post-Tenure Review Policies at Virginia’s Public Colleges and Universities
Members of the
Joint Legislative Audit and Review Commission

Chairman
Delegate Lacey E. Putney

Vice-Chairman
Senator Thomas K. Norment, Jr.

Delegate Vincent F. Callahan, Jr.
Senator John H. Chichester
Senator Charles J. Colgan
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Delegate Johnny S. Joannou
Delegate Dwight C. Jones
Delegate Harry J. Parrish
Senator Walter A. Stosch
Delegate Leo C. Wardrup, Jr.
Senator Martin E. Williams

Mr. Walter J. Kucharski, Auditor of Public Accounts

Director
Philip A. Leone

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Preface

At its November 10, 2003 meeting, the Joint Legislative Audit and Review Commission (JLARC) approved exploratory study planning relating to higher education tenure policies, particularly post-tenure review. This special report is a result of that exploratory effort. JLARC staff gathered information from all 16 public institutions of higher education in Virginia that grant tenure to their faculty. This report includes summaries of the relevant policies in effect at each institution.

This exploratory study has two main findings. First, Virginia’s public colleges and universities have all adopted pre- and post-tenure review policies as recommended by the Commission on the Future of Higher Education in 1995 (and specified in the Appropriation Act of the 1996 General Assembly). Second, the institutions generally appear to be diligent in ensuring that tenured faculty remain productive, with institutional officials most frequently citing a rigorous annual review process as the critical element supporting their post-tenure review processes.

The JLARC staff presented the findings from this exploratory study to the Commission as part of the July 12, 2004, JLARC meeting. Some members expressed concern that tenure is not implemented consistently across institutions. Although it was concluded that no additional planning or research by JLARC staff appeared necessary at the present time, members of the Commission reserved the right to request further study in the future.

On behalf of the JLARC staff, I would like to thank Virginia’s public colleges and universities for their cooperation during this study.

Philip A. Leone
Director

August 18, 2004
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I. Introduction

On November 10, 2003, the Joint Legislative Audit and Review Commission directed staff to examine tenure and post-tenure review policies at public institutions of higher education in Virginia (Appendix A). There are currently 16 public colleges and universities in Virginia with tenured faculty. These institutions include six doctoral institutions (the College of William and Mary, George Mason University, Old Dominion University, the University of Virginia, Virginia Commonwealth University, and Virginia Tech), nine comprehensive institutions (Christopher Newport University, James Madison University, Longwood University, Norfolk State University, Radford University, the University of Mary Washington, the University of Virginia’s College at Wise, Virginia Military Institute, and Virginia State University), and one two-year college (Richard Bland College). As part of the context for this exploratory study, this chapter describes the tenure system as it can be seen in the United States in general, and discusses some of its perceived strengths and weaknesses. This chapter also describes the research activities used for this exploratory study.

TENURE AT INSTITUTIONS OF HIGHER EDUCATION IN THE UNITED STATES

The literature on tenure that is available nationwide provides some background on the origins and the defining characteristics of the tenure system. This body of literature also articulates some of the primary reasons for and against having a tenure system, and discusses approaches that have been taken to address some of the problems identified with the tenure system.

Origins and Defining Characteristics of Tenure Systems

Until the late nineteenth century, there were many different conditions for employment at American colleges and universities. For example, at Harvard there was a two-track system in place in the early 1800’s: one track consisted of professors with endowed chairs, and the other track consisted of employees with yearly renewable contracts. Alternative systems were common at state institutions. For example, at the University of Wisconsin, the Board of Regents was initially required to elect professors at each annual meeting. Later, in 1867, this policy was changed to state that “the terms of office of every officer of the university” were to be continued “at pleasure, unless otherwise expressly provided.” This diversity in employment conditions also led to some highly publicized cases of dismissal, as well as legal challenges to university authority. Examples of these cases and legal challenges are:

- In 1856, Professor Benjamin Hedrick was dismissed from the University of North Carolina for supporting a candidate for United States president, John C. Fremont.
• In 1858, the Board of Regents of the University of Wisconsin, acting according to by-laws that required professors to be elected annually, terminated all faculty contracts.

• In 1878, the Kansas Supreme Court ruled in *Mudge v. Board of Regents of Kansas State Agricultural College* that the Regents must abide by by-laws requiring three months notice prior to dismissal, despite the legislative statute granting absolute discretion to the Board.

• In 1898, in *Kelsey v. New York Medical School*, the state appellate court ruled that conflicting by-laws requirements in cases of dismissal are to be resolved in favor of the “pleasure of the Board” as the ultimate principle.

• In 1899, in *DeVol v. Board of Regents of the University of Arizona*, the state court ruled that the statute giving the Board of Regents the power to dismiss “when in their judgment the interests of the University required it” laid a positive obligation on the Board not to delay dismissals for any period of time. This ruling contradicted that of *Mudge v. Board of Regents of Kansas State Agricultural College*, and came to be seen as taking precedence over it.

The American Association of University Professors (AAUP) was formed in the early twentieth century as a guild to care for the “institutional and societal interests of professors.” The AAUP played a major role in standardizing the conditions of employment at American colleges and universities. The AAUP 1940 *Statement of Principles on Academic Freedom and Tenure* established widespread agreement on what the tenure system entails (as a standardized set of conditions of employment of faculty at American colleges and universities). The 1940 AAUP *Statement*, which is still used as a reference, articulates some key features of the tenure system that are standard practice in the vast majority of colleges and universities today:

• After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure.

• There is a maximum of seven years in the probationary period, resulting in an up-or-out decision.

• Dismissal of tenured faculty, except for financial exigency, is to be for cause and judicially determined.

Further, it is common practice for institutions to have the tenure system’s process “self-regulating” through committees of “peer” faculty members carrying out much of the rules and procedures for evaluating faculty members.
Arguments for the Tenure System

Reasons that have been given for having a tenure system include: (1) tenure is now part of the status quo and is heavily embedded in academic practice and culture; (2) tenure protects academic freedom; (3) there are economic reasons for tenure; (4) tenure reinforces the authority structure of institutions; and (5) tenure enhances an institution’s ability to fulfill its missions of research/scholarship and service.

*Embedded in Academic Culture.* Tenure is part of the status quo at public four-year colleges and universities in Virginia. As shown in Exhibit 1, currently that status quo has resulted in Virginia public institutions ranking well compared to colleges and universities nationwide. Virginia has one of the most highly regarded state systems of higher education in the country. According to the State Council of Higher Education for Virginia, Virginia's system of higher education is recognized globally as a model of excellence in learning, leadership, and research, and as a catalyst for economic prosperity and an enhanced quality of life.

For decades, the tenure system has been the predominant set of conditions for faculty employment at more than 97 percent of American public colleges and universities nationwide. Tenure is generally considered an innate part of academic culture and represents a faculty member’s rite of passage into the professoriate. The predominance of the tenure system grew at the same time as more emphasis was placed on research in institutions of higher education.

In the 19th century, American colleges and universities came under the influence of the German research model, which was primarily engaged in scientific inquiry. Concurrent with the emergence of the research university was a growing culture of professionalism in America. The professionalization of higher education in America shifted the emphasis of college and university professors from teaching and service to discipline-focused careers for the purpose of advancing knowledge in the academic field.

One study (by Eugene Rice in *The Making of a New American Scholar*) observed that by 1974 a consensus had emerged on what it meant to be an academic professional:

1. Research is the central professional endeavor and focus of academic life.
2. Quality in the profession is maintained by peer review and professional autonomy.
3. Knowledge is pursued for its own sake.
Exhibit 1
How Virginia’s Public Colleges and Universities Rank

- Several Virginia universities are highly ranked in *U.S. News and World Report*’s 2004 ranking of America’s best colleges:
  - The University of Virginia is the **top public national university–doctoral** (tied with the University of California—Berkeley), the College of William and Mary is 6th, and Virginia Tech is 32nd.
  - Among public master’s universities, James Madison, Mary Washington, and Longwood are ranked 1st, 2nd, and 10th, respectively, in the southern region.1
  - Virginia Military Institute is the top public liberal arts college–bachelor's.2

- *U.S. News and World Report* also ranks the **best graduate programs** in the nation, and the State has several programs in the top 50:
  - Three law schools in the top 50 – University of Virginia (#9), William and Mary (#28), and George Mason (#40)
  - Two graduate engineering programs in the top 50 – Virginia Tech (#26) and the University of Virginia (#38)
  - Three graduate education programs in the top 50 – University of Virginia (#21), Virginia Commonwealth University (#39), and William and Mary (#44)
  - The University of Virginia’s business school is ranked 11th in the nation, and its medical school is ranked 27th for research and 26th for primary care
  - Virginia Commonwealth University’s sculpture and nurse anesthesia programs are ranked 1st in the nation

- *Kiplinger’s* ranked the **100 best values in public colleges** in 2003, based on a variety of quality and cost measures.3 Virginia had six universities in the top 100, including two in the top five: University of Virginia (#2), William and Mary (#3), Virginia Tech (#10), Mary Washington (#46), James Madison (#51), and George Mason (#70).

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1Master’s institutions provide a full range of undergraduate and master’s programs, but offer few, if any, doctoral programs.

2This category includes liberal arts colleges that emphasize undergraduate education and award at least half of their degrees in the liberal arts disciplines.

3Quality measures include factors such as admission rates, student-faculty ratios, four- and six-year graduation rates, and per-student expenditures for instruction. Cost measures include factors such as total cost for in-state students, average percentage of financial need met by aid, and average amount of debt a student accumulates before graduation.


4. The pursuit of knowledge is best organized by discipline.

5. Reputations are established in national and international professional associations.

6. Professional rewards and mobility accrue to those who persistently accentuate their specialization.
By that time, tenure was generally considered as a primary reward for good academic performance (defined with greater emphasis on research and scholarship). The prospect of eliminating tenure was seen as a major cultural change analogous to other professions (such as lawyers) no longer providing to associates the opportunity of becoming a partner in the firm. As such a strong part of academic culture in the United States, departure from the tenure system could result in a competitive disadvantage when trying to hire and retain faculty.

**Academic Freedom.** The conventional argument for tenure is that it protects faculty members from political and religious forces within and outside of universities, which could stifle independent thought. The 1940 AAUP *Statement of Principles on Academic Freedom and Tenure* specifies that academic freedom and tenure are both essential to the mission of colleges and universities.

Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning.

Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability.

In protecting academic freedom in teaching, in research, and of speech, it has been argued that tenure allows independent and objective assessment in colleges and universities. This includes the evaluation of students, as well as assessing the work of other academic professionals. For example, tenure helps insulate faculty from potential pressures that may arise when evaluating students whose families have provided large donations to the university. The credibility of evaluating other academic professionals’ work, such as through the refereeing process, also depends on the independence of such reviews and judgments. Further, tenure may provide protection and independence in the assessment of tenure-track faculty by already tenured faculty at the university.

It has also been argued that the tenure system creates a general climate of unconstrained discovery and criticism at a university more generally. Such a climate promotes both individual and social learning, and enhances the overall university environment for both students and faculty.

**Economic Reasons.** Some of the justifications for tenure have been made in terms of labor economics. One argument is that with tenure, individuals may be more willing to pursue research in areas that may eventually have long-term benefits, but are less likely to have an immediate or near-term benefit. Because the “pay off” time horizon for this research may be quite extended, individuals may be unwilling to pursue research in these areas without a strong level of job security.

A related reason is that the esoteric nature of some faculty members’ work may diminish the market value of their skills because the narrow focus of their spe-
cialization may not translate into alternative job opportunities in the market place. Although such skills may not be valued in the mainstream market place yet, it may still be desirable to have individuals pursuing research in these areas which may ultimately lead to changes in the way we view science or history, practice medicine, or conduct business.

Another argument is that tenure can enhance an institution’s competitiveness in hiring and retaining faculty. From this perspective, tenure (or the opportunity for tenure) is one of several components of a compensation package — like health insurance — that may be used to attract a potential employee in lieu of higher wages. The prestige of tenure, which is also related to the prestige of an institution, may be another intangible benefit an institution may offer in lieu of higher wages when hiring and retaining faculty.

One economist, Richard B. McKenzie, has characterized tenure as the “prize” to induce promising junior faculty members to endure six or seven years of probation during which they put in inordinate amounts of effort and have to accept the risk of being denied a job, while working for wages well below the value of their effort. In order to induce promising faculty members to accurately assess their abilities and to confess their limits, universities have established what amount to tournaments (that is, teaching and research competitions) among new faculty members. The competitors know that only some among them will be promoted and retained.

Since standards for tenure differ from one university to another, universities offer prospective faculty members an opportunity, in effect, to self-select and go to a university where they think they are likely to make the tenure grade. The prospects of being denied tenure may cause many (but not all) weak candidates to avoid universities that have tough tenure standards, given the probability that they would have to accept wages well below market value during the probation period. In this way, the tenure tournaments can reduce to some extent the costs institutions incur in gathering information and making decisions, because they force recruits to be somewhat more honest in their dealings and to self-select.

Competition for the limited number of “prized positions” often may drive new faculty members to exert a level of effort and produce a level of output that exceeds the value of their current compensation. To induce prospective faculty to exert the amount of effort necessary to be ability-revealing, universities must offer a “prize” that potential recruits consider worth the effort. In other words, the recruits must expect the future reward to compensate them for the extra effort they expend in the tournament and for the risk associated with not “winning.” In the absence of tenure (or some similar device), universities would find it more difficult to make a credible commitment that prospective recruits, who make the necessary competitive investment during the probationary period by accepting below-market wages for above-market effort, will receive an income stream that compensates them for all costs, including the required risks.

**Reinforces Authority Structure of Institutions.** A key feature of the tenure system has been the process of peer review in evaluating the work of faculty members. A typical peer review scenario is to have committees of other tenured fac-
ulty from the department, the school, and the university evaluate the candidate’s dossier (which may include a curriculum vita, student evaluations, evidence of research achievements and service accomplishments, letters of recommendation, and past performance reviews). Although the review process is separate from tenure itself, it has come to be considered such an integral part of the traditional tenure system that the benefits of the review process have been used to argue in favor of the whole tenure system.

One argument is that the review process for tenure provides faculty members themselves a voice in key institutional matters that affect the “who, what, and how” of teaching and research. A faculty member’s peers are considered to be the most qualified to evaluate that individual’s accomplishments in research, teaching, and service. “Democratizing” key institutional personnel decisions through the peer review process has been characterized as a way in which tenure strengthens the authority structure of the institution.

Another way that tenure can be seen as reinforcing the authority structure of institutions is that it promotes stability and continuity. One consequence of the tenure system is that it may deter faculty from leaving an institution once they have received tenure. This deterrence would be due to the amount of effort put into achieving tenure, and the possibility of having to go through some probationary period again at another institution. The job stability afforded by tenure helps ensure that institutions and their departments maintain a certain number of faculty who are experienced with the missions of the institutions. Given the importance of peer evaluation and mentoring within academic departments, retaining experienced faculty is beneficial for the institution, new faculty members, and the students.

**Enhancing Institutional Missions of Teaching, Research/Scholarship and Service.** Another argument in support of tenure is that the tenure system enhances the traditional faculty roles of teaching, research, and public service. Nearly all tenured and tenure-track faculty are expected to contribute to the institution and their fields of study in each of these areas. The rationale for maintaining these three duties of each faculty member is that they complement each other and help to advance knowledge in the field of study. Conducting independent research brings new knowledge into the field of study and enhances the learning experience of students in the classroom. Similarly, teaching students provides a forum for new ideas that may enhance a professor’s research. Service, in the form of serving on university and departmental committees, provides a mentoring system for junior faculty and also provides for an exchange of information between faculty to broaden the knowledge base in the departments.

Depending on the mission of the institution and the position of the faculty member, the emphasis on each of the three roles may differ. Large research universities may naturally place a higher priority on research and scholarship, while small liberal arts colleges may place a higher priority on teaching. Faculty seeking tenure may be inclined to focus on publishing their research in order to bolster their chances for achieving tenure, while older faculty who have already achieved tenure may be more inclined to focus on mentoring junior faculty and serving on various committees.
Despite differences in institutional missions and faculty positions, faculty are generally expected to contribute to some extent in teaching, research, and service. The tenure system supports this climate by requiring faculty to demonstrate their contributions in each of the areas when applying for tenure. Tenure may be denied if a faculty member is found to be deficient in any of the three areas. Furthermore, merit evaluations and post-tenure review of tenured faculty also help to ensure that no area is neglected.

**Arguments Against the Tenure System**

Reasons that have been given for doubting the value of the tenure system include: (1) tenure entrenches less productive faculty; (2) tenure insulates faculty from accountability and economic and other realities; (3) tenure limits institutional flexibility and staffing decisions; (4) tenure distorts the incentives for research, teaching, and service; (5) the tenure system disadvantages women and minorities; (6) the tenure system hinders staff who do not want to be evaluated by their peers; (7) the tenure process can be ambiguous and contradictory; and (8) the process for tenure and post-tenure review takes too much faculty time.

**Entrenches Less Productive Faculty.** Some critics of tenure have argued that it allows faculty who have earned tenure “to rest on their laurels.” They may invest more of their time and effort in attending faraway conferences and producing unreadable research than in teaching or developing practical insights. Other tenured faculty may simply make little effort to enhance their status. These points have been hotly contested in the literature.

**Insulates Faculty from Accountability and “Real World” Realities.** Another argument is that tenured faculty are less accountable, and are insulated from economic or other “real world” realities. In particular, this notion has several components. One is that there is no mechanism to make tenured faculty at State institutions directly accountable to the taxpayers funding them. Likewise, tenured faculty have secure jobs, while the taxpayers funding them may be experiencing economic recession and layoffs. Further, tenured faculty are shielded from repercussions to which most citizens would be subjected if they were to take controversial positions or make ill-advised statements, whether related or unrelated to their jobs.

**Limits Institutional Flexibility in Staffing Decisions.** Having already committed positions through tenure constrains the institution as to who else can be recruited by a department, college, or university, and how much they can be paid. Consequently, having more highly-paid tenured faculty may result in an institution having fewer junior faculty positions who may have newer, “fresher” ideas than some tenured faculty, and having less money to pay them. Tenure may also limit a university’s flexibility to alter the makeup of its academic programs. For example, a university may not be able to close a department/program that is not cost effective, has very few students, or is duplicative with programs at other nearby universities, because tenured faculty would have to be placed elsewhere or the university would have to settle with them financially. Conversely, a university may not be able to de-
Develop new programs that are now on the cutting edge because funds are tied up with tenured faculty in programs that are no longer “state of the art.”

**Distorts Incentives for Research, Teaching, and Service.** Under the tenure system, junior faculty may be obsessed with achieving tenure and have much more incentive to “publish or perish” – that is, to focus more on research/scholarship than teaching or service. While some institutions may state that teaching or service is also very important in evaluating candidates for tenure, professional norms in higher education still seem to place research as the central professional endeavor and focus of academic life. As professional norms reinforce greater loyalty to the discipline (as a national or international phenomenon) than to the specific college or university, the incentives prior to tenure review may undergo some permutation to emphasize more what tends to be recognized by the discipline than by the specific institution.

**Disadvantages to Women and Minorities.** A frequent criticism of the tenure system is that women and minority faculty are at a disadvantage. One of the primary reasons for this is that women and minority faculty have entered the profession in more recent years as formerly-closed positions have become available. Older faculty, predominantly white males, continue to hold many tenured positions. In addition, women and minority faculty tend to have greater service obligations than their colleagues. Because universities seek diversity on their various committees, women and minorities are called upon more often to serve on committees, leaving them less time for research. In addition, female and minority faculty members frequently end up advising more students than is typical, albeit often in an unofficial capacity, because students seek them out. Again, these activities may take time away from research, which seems to be the most important criterion universities consider when granting tenure. A further complication for women faculty is that they may be competing for tenure during their child bearing and child rearing years, which can put them at a considerable disadvantage compared to other faculty members who can give more attention to research in the crucial period leading up to tenure.

**Hinders Faculty Who Do Not Want to be Evaluated Through the Tenure Process.** Another criticism of the tenure system is that it may turn qualified people away from academic jobs and make recruitment more difficult. The departments in the most prestigious institutions may never have a problem finding recruits for a “tenure tournament,” but some departments at less prestigious institutions may. Especially in booming economic times, when job opportunities outside of academia abound, these departments may have difficulty finding talented candidates who would be willing to devote several years of higher effort for lower compensation and no guarantee of job security.

**Process Can Be Ambiguous and Contradictory.** The process of judging a tenure candidate generally is based on three main criteria – teaching, research and publishing, and service. The process of judging a candidate can vary widely among universities. Within a university, the emphasis placed on any one of the three components can shift over the years. There are many examples in recent literature of academics who feel they have been denied tenure unfairly. Many complain that
the process is unfair because it involves shifting standards, subjective teaching evaluations, or prejudiced colleagues. In some cases, the opinion of one person may override the decision of an entire tenure committee. A person denied tenure has the right to appeal the decision, and can even file a lawsuit against the university. But the price of taking these actions can be very high, and there can be a high degree of uncertainty as to whether a negative tenure decision would be overturned.

**Process Takes Too Much Faculty Time.** Given the serious consequences of a tenure decision, much time and effort is invested in the tenure review and post-tenure review processes. While all faculty are expected to spend substantial amounts of time in teaching and research, it also appears that a large amount of tenured faculty time is spent on committees evaluating other faculty. Although a peer review process may reinforce an institution’s authority in making important personnel decisions, it also appears to have a high cost in terms of faculty time and effort that could have been spent on teaching and research.

**Approaches for Addressing Problems with the Tenure System**

There appear to be two schools of thought on how to deal with the perceived problems of the tenure system. One focuses on maintaining tenure but changing some of its conditions or the process, primarily by having some form of post-tenure review. Another is to avoid tenure altogether, and instead to rely more on renewable contracts for fixed periods of time. In Virginia, the 1994 Commission on the Future of Higher Education put the State on a track to implement post-tenure review.

**Post-Tenure Review.** In recent years, in response to critics who argue that tenure means professors have a job for life regardless of their performance, many colleges and universities have been moving to re-evaluate the performance of tenured professors every few years. Administrators at these institutions seem convinced that post-tenure reviews are the best way to demonstrate accountability to the public and to defend the tradition of tenure from critics.

Many states have focused on some form of post-tenure review as the primary means of modifying the tenure system at state institutions. For example, in South Carolina, state legislators explicitly tied appropriations to the creation of a post-tenure review process, in which tenured faculty are evaluated every six years, and in which a substandard rating results in a set of specific goals, which, if unmet, could eventually lead to dismissal. In another example, there were proposals before the Texas legislature calling for post-tenure review and for a tenured professor to be fired in the case of two consecutive substandard evaluations. In an attempt to avoid the harsher aspects of this proposal, the Regents of the University of Texas imposed the requirement that professors undergo post-tenure review every five years, and included a review process that allowed for the possibility of a termination hearing in the event of poor evaluations. In addition to South Carolina, Texas, and Virginia, similar examples of state universities adopting post-tenure review policies in some form have also occurred in at least 29 other states (listed in Exhibit 2).
Post-tenure review is not a new idea. Some private institutions had it prior to 1980, including: St. Lawrence University, Coe College, Earlham College, and Carleton College. One of the largest public systems of higher education in the United States, the California State University system, adopted periodic evaluation of tenured faculty in the 1970s. However, the number of institutions with post-tenure review policies has grown the most in the 1990s.

**Virginia’s Legislative Mandate for Post-Tenure Review.** In Virginia, all 16 institutions with tenure systems have adopted some form of a post-tenure review policy. This change was recommended by the Commission on the Future of Higher Education, which was created by Senate Joint Resolution 139 of the 1994 General Assembly. (Appendix B is an excerpt of the Commission’s report findings and recommendations related to tenure.) Further, this change was mandated by the 1996 General Assembly, which stipulated that any institution whose pre-and post-tenure review policies were not approved by the State Council of Higher Education and the Secretary of Education would not be eligible for the faculty salary raises that were due to go into effect in December 1997. As discussed in more detail in Chapter III, Virginia institutions of higher education appear to have complied with these clear statements of legislative intent.

**Renewable Term Contracts.** A number of institutions in the United States have moved away from the tenure system toward term contracts. Further, there are private colleges that operate entirely without tenure, and those that have dual tracks (tenure track and contract-based non-tenure track). The colleges that operate entirely without tenure are, almost by definition, outside the mainstream of higher education.

Although there are various permutations, faculty employment contracts without tenure typically have three attributes. First, all appointments are for a specific period of time. Second, the contracts are renewable upon mutual agreement, without any “up or out” proviso. Third, contract intervals are often variable, normally based upon seniority by rank and length of service.
For example, at Azusa Pacific University (which operates entirely with contracts instead of tenure), the standard sequence includes three 1-year contracts, two 3-year contracts, and then 5-year contracts. At Hampshire College (which also operates entirely without tenure), the first appointment is for three years, the second appointment is for four years, and ten-year “de facto tenure” appointments are made thereafter. The first ten-year contract carries automatic promotion to associate professor.

Term appointments could be coupled with the benefits normally associated with tenured faculty, such as travel funds and sabbaticals. For example, Webster University has established a non-tenure track as an option, alongside a tenure track, for “regular” faculty. By the start of the third year, faculty must declare a “preliminary choice” to be on the tenure track or the faculty development leave (FDL) track. FDL faculty are eligible for leaves of one semester at half pay in year four, or one semester at full pay in year five, or one semester and one summer at full pay in year six. Tenured faculty are eligible for a one-year sabbatical at half pay or one semester at full pay in year seven.

Since the 1970s, the Virginia Community College System (VCCS) has used renewable term contracts instead of granting tenure to faculty. However, the American Association of University Professors (AAUP) voted in their 1975 annual meeting to censure the VCCS because the action “had been taken without the faculty’s previous knowledge and contrary to the faculty’s expressed wishes.” Since that time, the VCCS has changed its policies to include provisions for academic due process that did not exist when the censure was imposed. Further, in recent years, with the concurrence of the chancellor, the State board of the VCCS approved the following changes:

- After six years of full-time faculty service, indefinite retention is assumed unless the administration demonstrates cause for termination at an appropriate hearing.
- Safeguards against faculty layoffs.
- A stronger statement on academic freedom.

Because of these changes, at its June 2003 annual meeting, the AAUP removed the VCCS from its list of “Censured Administrations.” Overall, the recent changes appear to be moving the VCCS policy toward something resembling tenure, even if it is not called tenure (although there does not appear to be an “up or out after seven years” proviso).

**JLARC REVIEW**

In gathering preliminary information on tenure in Virginia’s public institutions of higher education, JLARC staff developed three main issues to be addressed:
• What are the tenure and post-tenure review policies of Virginia public colleges and universities that have tenured faculty?

• What accounts for changes in the percentages of tenured and tenure-track faculty at each institution?

• How do these institutions ensure that tenured faculty remain productive?

Research Activities

This exploratory study examined these issues through four main research activities: (1) document and literature reviews; (2) a survey of institutional officials; (3) data analysis; and (4) structured interviews with institutional officials.

Document and Literature Reviews. All 16 institutions provided JLARC staff with copies of their tenure and post-tenure review policies. Most of these policies are published in the institutions’ faculty handbooks (many of which are available online), which provide additional details concerning the employment conditions and the annual evaluation of faculty, potential disciplinary actions, and appeals procedures. JLARC staff also conducted extensive literature reviews. Journal articles, books, studies, and working papers regarding the tenure system and employment conditions of college and university faculty were reviewed.

Survey of Virginia Public Colleges and Universities. JLARC staff conducted a survey of the 16 public colleges and universities in the Commonwealth with tenured faculty, to complement with quantitative data the qualitative information from their tenure and post-tenure review policies. Among the items asked are: the number and frequency of outcomes of tenure reviews conducted during the 2002-03 academic year; the number and frequency of outcomes of post-tenure reviews that were conducted from the 1998-99 through the 2002-03 academic years; how many tenured, tenure-track, and non-tenure-track faculty were at each school or college of the institution during the 2002-03 academic year; how many of the full-time non-tenure-track were visiting, teaching, research, or in-residence faculty; and the number of graduate teaching assistants that were employed by the institution during the 2002-03 academic year. The results of this survey are shown in the institutional profiles in Appendix C.

Data Analysis. In addition to the survey data, JLARC staff analyzed data on faculty that are collected by the federal government from all institutions of higher education in the nation. The source of this data set is the Integrated Postsecondary Education Data System (IPEDS), produced by the National Center for Education Statistics. The IPEDS database is updated biennially. JLARC staff used the IPEDS data to compare the percentages of tenured and tenure-track faculty at Virginia public institutions with public institutions nationally. IPEDS data were also used to indicate how the tenure composition of faculty at each institution may have changed over time.


**Structured Interviews.** JLARC staff conducted structured, on-site interviews with administrators from all 16 public colleges and universities in Virginia with tenured faculty. These interviews were used to follow up on questions JLARC staff had regarding each institution’s tenure and post-tenure review policies, any outstanding issues from the survey, and other questions regarding non-tenure-track faculty. Notes from these interviews are included in each institution’s profile shown in Appendix C.

**Report Organization**

This report is organized into three chapters and three appendixes. Chapter I provides background information on tenure and the review processes associated with the tenure system, as it can be seen in general across the nation. This chapter also provides background information on the JLARC review that was done for this exploratory study. Appendix A provides further information on the mandate for this exploratory study. Appendix B provides the portion of the report of the Commission on the Future of Higher Education which addresses tenure.

Chapter II focuses on tenure at the 16 Virginia public institutions in particular. This chapter shows the percentages of faculty in the tenure system at each institution, and discusses the overall patterns in tenure and post-tenure review processes across all 16 institutions. Appendix C supplements the chapter with additional information specific to each institution regarding: tenured, tenure-track, and non-tenure track faculty; and tenure and post-tenure reviews.

Chapter III discusses the conclusions that can be drawn from this exploratory study, and identifies specifically how the colleges and universities have responded to the legislature’s call in the late 1990s for changes to the tenure and post-tenure review system.
II. TENURE AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN VIRGINIA

The 16 public colleges and universities in Virginia that grant tenure to their faculty are part of a network of more than 3,000 institutions of higher education in the United States. Tenure is part of a national system, and is not unique to Virginia. To provide a sense of the scope and nature of the tenure system in various Virginia institutions, this chapter discusses the specific implementation of tenure (including post-tenure review) in Virginia institutions. Three snapshots in time are presented to illustrate how the occurrence of tenure may be relatively stable at some institutions, while it may be changing over time at others. The question of whether there is a link between the number of tenured faculty and the number of graduate teaching assistants is also addressed. Then an overview of the tenure review and post-tenure review policies at these Virginia institutions is presented, along with a summary of the numbers of individuals who recently underwent these processes at each institution.

PERCENTAGE OF TENURED AND TENURE-TRACK FACULTY AT VIRGINIA INSTITUTIONS

Figures 1, 2, and 3 indicate that, at any point in time from 1993 to 2001, most full-time instructional faculty at the 16 Virginia institutions have been in the tenure system. At most of the 16 institutions, approximately half or more of the faculty are tenured. When the percentages of tenure-track faculty are added, on average about 70 percent of the full-time faculty at public institutions in Virginia in 2001 were in the tenure system. The comparable percentage of full-time instructional faculty nationwide who were tenured or tenure-track at four-year public institutions in 2001 was 72 percent. This percentage has declined from 78 percent in 1993 and 74 percent in 1997. Overall, the tenure system clearly has a very strong presence at the 16 public institutions in Virginia, and the strong presence of tenure at these institutions is not atypical compared to public institutions nationwide.

Figures 1, 2, and 3 also illustrate some other notable features: (1) some institutions have consistently had relatively higher percentages of their faculty in the tenure system than others; (2) other institutions have consistently had lower percentages of their faculty in the tenure system; and (3) the percentages of tenured or tenure-track faculty at two institutions appear to have been changing substantially in recent years.
Figure 1

Percent of Faculty with Tenure or on Tenure Track, Doctoral Institutions (1993 - 2001)

College of William and Mary
- 1993: 63% tenured, 24% tenure-track
- 1997: 61% tenured, 22% tenure-track
- 2001: 63% tenured, 22% tenure-track

George Mason University
- 1993: 55% tenured, 4% tenure-track
- 1997: 58% tenured, 13% tenure-track
- 2001: 49% tenured, 18% tenure-track

Old Dominion University
- 1993: 59% tenured, 25% tenure-track
- 1997: 60% tenured, 23% tenure-track
- 2001: 60% tenured, 19% tenure-track

University of Virginia
- 1993: 55% tenured, 20% tenure-track
- 1997: 54% tenured, 21% tenure-track
- 2001: 50% tenured, 20% tenure-track

Virginia Commonwealth University
- 1993: 53% tenured, 14% tenure-track
- 1997: 50% tenured, 12% tenure-track
- 2001: 43% tenured, 13% tenure-track

Virginia Tech
- 1993: 59% tenured, 15% tenure-track
- 1997: 58% tenured, 13% tenure-track
- 2001: 53% tenured, 16% tenure-track

* Percentages in 1993 and 1997 were adjusted for Virginia Tech to account for research and public service faculty and to be consistent with the 2001 methodology.

Source: National Center for Education Statistics. Integrated Postsecondary Education Data System.
Figure 2
Percent of Faculty with Tenure or on Tenure Track, Comprehensive Institutions (1993 - 2001)

Christopher Newport University
- 1993: 46% Tenured, 38% Tenure-Track
- 1997: 53% Tenured, 33% Tenure-Track
- 2001: 50% Tenured, 27% Tenure-Track

James Madison University
- 1993: 65% Tenured, 23% Tenure-Track
- 1997: 62% Tenured, 17% Tenure-Track
- 2001: 50% Tenured, 24% Tenure-Track

Longwood University
- 1993: 47% Tenured, 40% Tenure-Track
- 1997: 68% Tenured, 27% Tenure-Track
- 2001: 52% Tenured, 35% Tenure-Track

Norfolk State University*
- 1993: 30% Tenured, 14% Tenure-Track
- 1997: 49% Tenured, 24% Tenure-Track
- 2001: 23% Tenured, 58% Tenure-Track

Radford University
- 1993: 55% Tenured, 36% Tenure-Track
- 1997: 67% Tenured, 23% Tenure-Track
- 2001: 69% Tenured, 15% Tenure-Track

University of Mary Washington
- 1993: 65% Tenured, 25% Tenure-Track
- 1997: 64% Tenured, 24% Tenure-Track
- 2001: 58% Tenured, 25% Tenure-Track

University of Virginia - Wise
- 1993: 47% Tenured, 32% Tenure-Track
- 1997: 52% Tenured, 33% Tenure-Track
- 2001: 42% Tenured, 39% Tenure-Track

Virginia Military Institute
- 1993: 64% Tenured, 24% Tenure-Track
- 1997: 71% Tenured, 23% Tenure-Track
- 2001: 64% Tenured, 26% Tenure-Track

Virginia State University
- 1993: 56% Tenured, 36% Tenure-Track
- 1997: 41% Tenured, 20% Tenure-Track
- 2001: 43% Tenured, 32% Tenure-Track

* Norfolk State University reported that data prior to 2001 were inaccurate.

Source: National Center for Education Statistics. Integrated Postsecondary Education Data System.
Institutions with Higher Percentages of Tenured and Tenure-Track Faculty

Several institutions have consistently had over 80 percent of their faculty either tenured or on tenure-track over the years. The institutions that appear to have consistently been on the high end are: William and Mary, Longwood, Mary Washington, Radford, Virginia Military Institute, and Richard Bland College. These institutions are considerably smaller than the research institutions, which have relatively lower percentages of tenured or tenure-track faculty. Further, when examining the schools and colleges within each of these “high end” institutions (see Appendix C), the percentages of tenured and tenure-track faculty tend to be consistently close to or greater than 80 percent in all schools and colleges. Table 1 shows that the remainder, the non-tenure-track faculty who are hired full-time by most of these institutions, tend to be primarily for teaching. The one exception is the College of William and Mary, which has the most non-tenure-track faculty in the “visiting” category. Visiting faculty often temporarily replace tenured (or tenure-track) faculty who are on leave.
Table 1

Primary Functions of Full-Time Non-Tenured/Non-Tenure-Track Faculty* (at Institutions with Higher Concentrations of Tenured/ Tenure-Track Faculty)

<table>
<thead>
<tr>
<th>Functions</th>
<th>College of William and Mary</th>
<th>Longwood University</th>
<th>Radford University</th>
<th>University of Mary Washington</th>
<th>Virginia Military Institute</th>
<th>Richard Bland College</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visiting</td>
<td>38</td>
<td>1</td>
<td>1</td>
<td>14</td>
<td>14</td>
<td>1</td>
</tr>
<tr>
<td>Teaching</td>
<td>28</td>
<td>20</td>
<td>39</td>
<td>22</td>
<td>14</td>
<td>1</td>
</tr>
<tr>
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<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clinical</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>In-Residence Faculty</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Includes faculty who are employed by academic schools and colleges listed in institutional profiles in Appendix C. Does not include faculty who are employed by athletic departments, extension service, administration, or entities other than the schools and colleges listed for each institution in Appendix C.

Source: JLARC staff survey of Virginia public colleges and universities.

Institutions with Lower Percentages of Tenured and Tenure-Track Faculty

Some institutions have tended to stay at the low end of the range, when comparing their percentages to the other public institutions over time. Virginia Commonwealth University (VCU) has consistently had among the lowest percentages of full-time faculty who were tenured or on tenure-track. The University of Virginia (UVA), Virginia Tech, and George Mason University (GMU) have also tended to be on the low end across the years, although not as low as VCU in most years. Officials at these four universities report that one reason for the lower percentages was the growing numbers of non-tenure-track research positions at these research institutions.

In particular, the University of Virginia and Virginia Commonwealth University both have large medical schools. In fact, the medical schools were the colleges within each university that had the largest number of faculty (as shown in the institutional profiles in Appendix C). The medical schools have hired hundreds of non-tenure-track clinical or research positions, which in part has reduced the total institutional percentages of tenured and tenure-track faculty.

Certain schools or colleges at each of these four large institutions tend to have proportionally more non-tenured faculty, as shown in the institutional profiles in Appendix C. Schools and colleges at VCU with relatively large proportions of non-tenure-track full-time faculty, in addition to the medical college, include: allied health professions; dentistry; education; nursing; pharmacy; and social work. At UVA, in addition to the medical school, the schools of nursing and continuing and professional studies have large proportions of non-tenure-track faculty. At Virginia
Tech, the colleges of agriculture and life sciences, natural resources, and science have the highest proportions of full-time non-tenure-track faculty. At GMU, the schools with the highest proportions of full-time non-tenure-track faculty are: computational sciences; the Institute for Conflict Analysis and Resolution; the Krasnow Institute; management; nursing and health science; and public policy.

Tenure and tenure-track faculty are generally expected to spend considerable amounts of their time and effort in three areas: teaching, research/scholarship, and service. In contrast, non-tenure-track faculty are often hired to concentrate in one of these areas, most frequently teaching or research. Table 2 shows that while a substantial portion of non-tenure-track faculty at GMU, UVA, VCU and Virginia Tech is hired to focus on teaching, a large number is also hired at these four institutions primarily to conduct research (or, in the case of institutions with medical schools, to see patients in a clinical setting while also instructing students).

| Primary Functions of Full-Time Non-Tenured/Non-Tenure-Track Faculty* (at Institutions with Lower Concentrations of Tenured/ Tenure-Track Faculty) |
|--------------------------------------------------|-----------------|-----------------|-----------------|-----------------|
| Visiting                                         | George Mason University | University of Virginia | Virginia Commonwealth University | Virginia Tech |
| Teaching                                         | 216              | 207              | 123              | 183             |
| Research                                        | 147              | 89               | 589              | 438             |
| Clinical                                        | 281              | 4                |                  |                 |

*Includes faculty who are employed by academic schools and colleges listed in institutional profiles in Appendix C. Does not include faculty who are employed by athletic departments, extension service, administration, or entities other than the schools and colleges listed for each institution in Appendix C.

Source: JLARC staff survey of Virginia public colleges and universities.

Institutions with Changing Percentages

The percentages at two other institutions appear to have undergone substantial change over time. Norfolk State's percentages appear to have moved from the very low end in 1993 to near the middle-to-high end in more recent years. However, when JLARC staff asked about these numbers, officials at Norfolk State said that the method of reporting the data in 1993 and 1997 has changed, compared to the method used in 2001. Therefore, while the 2001 percentages are accurate, the percentages from the other years are not.

Virginia State's percentages appear to have experienced the most fluctuation: from the high end in 1993 to the low end in 1997, and to somewhere in the middle in 2001. Virginia State officials attributed this fluctuation to unusually high numbers of retirements, particularly after the State's early retirement plan in 1993.
Chapter II: Tenure at Public Institutions of Higher Education in Virginia

Graduate Teaching Assistants

JLARC staff were asked to examine whether there is a link between the number of tenured faculty and the number of graduate teaching assistants at each of the institutions. Table 3 addresses that question.

Table 3 shows that the institutions with the higher numbers of graduate teaching assistants also tend to have higher numbers of tenured faculty. But the institutions with the higher percentages of tenured faculty tend to have few or no graduate teaching assistants.

| Table 3 |
|-------------------|-------------------|-------------------|
| **Number of Graduate Teaching Assistants, Tenured Faculty, and Graduate/First-Professional Enrollments at Virginia Public Colleges and Universities** |
| **Number of Graduate Teaching Assistants** | **Number of Tenured Faculty** | **Number of Graduate/First-Professional Students** |
| **Doctoral Institutions** | | |
| College of William and Mary | 149 | 362 | 2,037 |
| George Mason University | 326 | 491 | 11,173 |
| Old Dominion University | 433 | 361 | 6,846 |
| University of Virginia | 927 | 1,010 | 9,248 |
| Virginia Commonwealth University | 588 | 759 | 8,458 |
| Virginia Tech | 936 | 1,023 | 6,407 |
| **Comprehensive Institutions** | | |
| Christopher Newport University | 5 | 104 | 132 |
| James Madison University | 27 | 339 | 1,212 |
| Longwood University | 0 | 86 | 567 |
| Norfolk State University | 4 | 158 | 807 |
| Radford University | 23 | 240 | 1,052 |
| University of Mary Washington | 0 | 118 | 572 |
| University of Virginia’s College at Wise | 0 | 35 | 0 |
| Virginia Military Institute | 0 | 63 | 0 |
| Virginia State University | 4 | 94 | 900 |
| **Two-Year Institution** | | |
| Richard Bland College | 0 | 19 | 0 |

Source: JLARC staff survey of Virginia public colleges and universities; State Council of Higher Education for Virginia, Fall 2003 enrollment headcounts.

Conversely, the four research institutions with more non-tenure-track faculty (and relatively lower percentages of tenured faculty) are the ones with the highest numbers of graduate teaching assistants. All six of the doctoral institutions have relatively higher numbers of graduate teaching assistants. These six institutions also had higher numbers of graduate or first-professional students enrolled in the
fall of 2003 as well. (First- professional students include students enrolled in professional programs such as law and medicine.) The percentage of graduate/first-professional students who were graduate teaching assistants during the 2002-03 academic year at these six institutions ranges from seven percent at VCU to nearly 15 percent at Virginia Tech. When JLARC staff asked about graduate teaching assistants, officials at Virginia Tech responded that part of their mission as a doctoral institution is to train graduate students for careers in academics, so these graduate students need to have the teaching experience. Overall, the number of graduate teaching assistants appears to be more closely linked to the mission of the institution (and the size of its graduate student enrollment) than to the number or percentage of tenured faculty at the institution.

TENURE REVIEW AND POST-TENURE REVIEW POLICIES AT VIRGINIA INSTITUTIONS

The key overall characteristics of tenure review and post-tenure review policies at the 16 institutions are summarized collectively in this section. Then the number of individuals who have participated in the tenure and post-tenure review processes recently at each institution is discussed. In the 2002-03 school year, there were 251 tenure reviews across all 16 institutions. In the past five years (1998-99 through 2002-03), there were 400 cases that went beyond the normal annual evaluations and underwent the full post-tenure review processes of the 16 institutions.

Key Characteristics of Tenure and Post-Tenure Review Policies at Virginia Institutions

While Appendix C provides a more detailed summary of each institution’s specific tenure and post-tenure review policies, the institutions’ policies have many characteristics in common. This commonality is not unexpected, for several reasons. One reason is that the 1940 Statement of Principles on Academic Freedom and Tenure has essentially standardized nationwide the conditions of employment at institutions with tenure systems. Another reason is that Virginia institutions are in communication with each other, and with other institutions nationwide; they can observe the experiences of various institutions with alternative faculty management practices and policies, and choose the policies they see as working best. A third reason is discussed further in Chapter III: in the mid 1990s the State provided two strong impetuses for the institutions to develop the tenure and post-tenure review policies that exist today. One was the specific recommendations of the Commission on the Future of Higher Education in late 1995. Another was the Appropriation Act of the 1996 General Assembly stipulating that State funds would be withheld from institutions that did not develop pre- and post-tenure review policies meeting the approval of the State Council of Higher Education for Virginia and the Secretary of Education.

Most Recent Review of the Policies by the Institution. Nine (out of 16) institutions have reviewed or revised both their tenure review policy and post-tenure review policy in the last four years. Three institutions have reviewed either their tenure review policy or their post-tenure review policy in the last four years (while
the other policy was last reviewed or revised sometime between 1995 and 1999). The other four institutions have most recently reviewed both policies sometime between 1995 and 1999, although three institutions have indicated that their policies are currently under review.

**Annual Evaluation.** All institutions have an annual review of all (including tenured) faculty, often by department chairs and deans. Officials at all institutions have reported that the annual evaluation is key to the entire faculty evaluation process working properly. Annual reviews are used to determine raises in salary, although officials at institutions without large endowments have said that the lack of State money for merit pay has been a problem in recent years. Officials at most institutions have also emphasized that reviews of tenure-track faculty (such as during or after the third year at the institution) have been an important source of feedback for individuals regarding their progress toward tenure.

**Frequency of Full Post-Tenure Review Process.** At all institutions (except Richard Bland College), the full process can be “triggered” by the results of the annual evaluation (such as two consecutive or three unsatisfactory ratings within the last five years). In this way, the post-tenure review process depends heavily upon having a meaningful annual review process in place. Further, four institutions (William and Mary, UVA-Wise, Richard Bland, and Christopher Newport starting in the 2004-05 academic year) require all tenured faculty to undergo the full process every five or six years, regardless of their annual review ratings.

**Exceptions and Exemptions to Full Post-Tenure Review Process.** Among the institutions solely with “trigger” policies, there is no further post-tenure review if the annual evaluation has a rating of satisfactory or better. One institution also states in its policy that an exception is made if the faculty member has signed an agreement to retire within the succeeding two years. Officials at several other institutions said that this practice is carried out informally, although it is not explicitly stated in the policy. Further, another institution does not require faculty who take administrative positions (whose teaching responsibility is less that 50 percent of their total responsibilities) to undergo post-tenure review.

**Central Participants.** Tenure review at large institutions typically occurs on three levels: the department, the school or college, and the university level. At each level, there is often a separate “peer review” committee composed of faculty members, along with key administrators (such as the department chair, the college dean, and the provost or university vice president for academic affairs). The granting of tenure must be approved by the institution’s president and board of visitors.

Post-tenure review generally tends to occur at the department level rather than on the university level. Most (13 out of 16) institutions have a committee of tenured faculty involved in some sort of peer review process. The other three (George Mason, Old Dominion, and Mary Washington) have a smaller number of participants, with the department head primarily handling the review process, and, if necessary, the involvement of the school dean or the university provost.
Information Collected. About half of the institutions specify in their policies that the candidate for tenure assemble a dossier or file, which is used for reviews of the candidate by the committees on the department, college, and university levels. This file often includes: a curriculum vita; summary of student evaluations; all past written evaluations or performance reviews; letters of recommendation; and other evidence of teaching effectiveness, scholarship and research, and service. The other half of the institutions do not specify that the candidate create such a file, but they appear to use the same kind of information that often goes into a candidate’s file. However, there appears to be some variation in the form the information collected can take. For example, at Virginia Military Institute, the department head writes a report of the candidate’s performance, which is signed by all tenured members of the department (and if any tenured member does not concur, he or she may attach a minority report).

The institutions’ policies appear to vary in specifying the information to be collected for post-tenure review. Some (such as Virginia Commonwealth, Virginia Tech, Longwood, Mary Washington, Christopher Newport, and Richard Bland) appear to require the same basic information for post-tenure review as for tenure review. The post-tenure review policies at others (such as Old Dominion, James Madison, and Virginia Military Institute) appear to place more emphasis on past and present evaluations and self evaluations, or on the results of reviews of past performance that are used to develop self-improvement plans (such as George Mason, the University of Virginia, and Radford).

Criteria / Standards. Three underlying criteria appear common to most institutions, in both tenure review and post-tenure review: effective teaching; scholarship and research; and service to the university and community. Some institutions give more weight to the teaching criterion. Some institutions mention other criteria as well, such as possession of a doctorate or other appropriate terminal degree, or future departmental programming directions in various subfields. In their post-tenure review policies, some institutions explicitly mention progress toward meeting goals within the timetable specified in self-improvement plans.

Consequences if Post-Tenure Review Finds Deficient Performance. In all cases, if the post-tenure review process finds that the faculty member’s performance is below satisfactory, a self improvement plan for addressing the identified deficiencies is to be developed and implemented in generally one to two years. If the faculty member has not made reasonable progress in meeting the objectives of the plan within the timeframe, sanctions may be imposed. Sanctions can include reduction in salary, suspension without pay, or dismissal for cause.

Appeals Process. Faculty members are generally provided some means to appeal tenure review or post-tenure review decisions, at least on grounds that the process followed was procedurally flawed and resulted in the decision being arbitrary or based on incomplete information. But the specific appeals processes and key participants vary greatly from one institution to another. The institutional-level summary in Appendix C shows the variety of appeal processes at the different institutions.
Indirect Effects of Post-Tenure Review Process. Officials at most institutions reported that the most frequent indirect outcome is that many faculty members who would otherwise undergo post-tenure review avoid the process by retiring. Another indirect effect cited by some officials is that the post-tenure review process enhances the annual review process. A strong annual review process is essential for the post-tenure review process to work properly. The post-tenure review policy can also give the annual review process “some teeth,” by specifying the possible consequences of continued unsatisfactory performance. Some officials also said that the post-tenure review process has indeed helped some faculty members to improve their performance.

NUMBER OF FACULTY UNDERGOING TENURE REVIEW AND POST-TENURE REVIEW IN RECENT YEARS

To provide a sense of how frequently the tenure review and post-tenure review policies are actually implemented at the institutions, JLARC staff obtained data from the institutions regarding: (1) tenure reviews that were carried out in the most recently completed academic year (2002-03); and (2) post-tenure reviews that had taken place in the most recent five academic years (1998-99 through 2002-03). This section outlines the frequency of these tenure reviews and post-tenure reviews, and their outcomes.

Tenure Reviews

Table 4 shows the number of tenure reviews that occurred at each institution during the 2002-03 academic year, and their outcomes. With the exception of the University of Virginia and Christopher Newport University, approximately 96 percent of the candidates who were subject to tenure review that year at the remaining 14 institutions were eventually awarded tenure. Officials at these other institutions said this high rate is not surprising, given that a tremendous amount of time and effort is spent evaluating tenure-track faculty years before the tenure review occurs. For example, at Virginia Tech, officials said that very few tenure-track faculty would be denied tenure because less-qualified faculty would tend to be “weeded out” in the six-year probationary period prior to the tenure decision. Virginia Tech officials indicate that the use of an effective probationary reappointment review process (conducted after the second and fourth years) enables performance problems to be addressed long before the tenure review occurs.

In contrast, officials at the University of Virginia reported about half of those faculty that begin as assistant professors at the university are eventually awarded tenure. According to UVA officials, the more elite the university, the less likely it is to award tenure.

Post-Tenure Reviews

Based on the annual evaluations, an institution may monitor poorly-performing tenured faculty before a post-tenure review process takes place. To illus-
Table 4

Number of Tenure Reviews and Their Outcomes (in 2002-03 Academic Year)

<table>
<thead>
<tr>
<th></th>
<th>Total Number of Tenure Reviews</th>
<th>Awarded Tenure*</th>
<th>Denied Tenure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Doctoral Institutions</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>College of William and Mary</td>
<td>14</td>
<td>14</td>
<td>0</td>
</tr>
<tr>
<td>George Mason University</td>
<td>31</td>
<td>30</td>
<td>1</td>
</tr>
<tr>
<td>Old Dominion University</td>
<td>13</td>
<td>13</td>
<td>0</td>
</tr>
<tr>
<td>University of Virginia</td>
<td>48</td>
<td>38</td>
<td>10</td>
</tr>
<tr>
<td>Virginia Commonwealth University</td>
<td>40</td>
<td>38</td>
<td>2</td>
</tr>
<tr>
<td>Virginia Tech</td>
<td>43</td>
<td>40</td>
<td>3</td>
</tr>
<tr>
<td><strong>Comprehensive Institutions</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Christopher Newport University</td>
<td>6</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>James Madison University</td>
<td>13</td>
<td>13</td>
<td>0</td>
</tr>
<tr>
<td>Longwood University</td>
<td>6</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Norfolk State University</td>
<td>9</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>Radford University</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>University of Mary Washington</td>
<td>5</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>University of Virginia’s College at Wise</td>
<td>4</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Virginia Military Institute</td>
<td>9</td>
<td>8</td>
<td>1</td>
</tr>
<tr>
<td>Virginia State University</td>
<td>8</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td><strong>Two-Year Institution</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richard Bland College</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>251</td>
<td>231</td>
<td>20</td>
</tr>
</tbody>
</table>

* Includes cases that were initially denied tenure but were successfully appealed.

Source: JLARC staff survey of Virginia public colleges and universities.

To demonstrate the impact of this monitoring, Virginia Tech officials gave JLARC staff a chart summarizing the outcomes of 26 individual cases of tenured faculty who may have been subject to post-tenure review or other sanctions across six academic years. Exhibit 3 shows that Virginia Tech has options for taking actions against poor-performing tenured faculty besides post-tenure review. The most frequent outcome of the cases shown in Exhibit 3 is that the faculty member retired or resigned, without a post-tenure review being conducted.

Further, Tables 5 and 6 show the outcomes of all post-tenure review cases in the past five years across the 16 Virginia public colleges and universities. Tables 5 and 6 show several patterns that warrant some further explanation. For instance, Table 5 shows that two institutions did not conduct any post-tenure reviews in the past five years, while some other institutions have conducted many post-tenure reviews in addition to the annual evaluations that all faculty undergo.
### Exhibit 3: Outcome Tracking of Virginia Tech Tenured Faculty Subject to Post-Tenure Review Policy or Other Sanction/Termination Actions, 1998-2003

<table>
<thead>
<tr>
<th>Case No.</th>
<th>1998 (Year 1)</th>
<th>1999 (Year 2)</th>
<th>2000 (Year 3)</th>
<th>2001 (Year 4)</th>
<th>2002 (Year 5)</th>
<th>2003 (Year 6)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1st Unsatisfactory</td>
<td>2nd Unsatisfactory</td>
<td>Resigned</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>1st Unsatisfactory</td>
<td>2nd Unsatisfactory</td>
<td>Retired</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>1st Unsatisfactory</td>
<td>Performance Improved</td>
<td></td>
<td></td>
<td></td>
<td>Retired</td>
</tr>
<tr>
<td>4</td>
<td>1st Unsatisfactory</td>
<td>Initiated dismissal for cause proceedings. Conducted through several levels of appeal.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Retired</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Retired</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Retired</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Retired</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>1st Unsatisfactory</td>
<td>Retired</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>1st Unsatisfactory</td>
<td>Resigned</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td>Dismissed for cause.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td></td>
<td></td>
<td></td>
<td>1st Unsatisfactory</td>
<td>Retired</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td>1st Unsatisfactory</td>
<td>Retired</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
<td></td>
<td>Warning letter</td>
<td>1st Unsatisfactory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td></td>
<td></td>
<td>Warning letter</td>
<td>Improved</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td></td>
<td></td>
<td></td>
<td>1st Unsatisfactory</td>
<td>Retired</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td></td>
<td></td>
<td></td>
<td>1st Unsatisfactory</td>
<td>Improved</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td></td>
<td></td>
<td>Negotiated retirement</td>
<td></td>
<td></td>
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<tr>
<td>20</td>
<td></td>
<td></td>
<td>Negotiated retirement after beginning dismissal for cause</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td></td>
<td></td>
<td></td>
<td>1st Unsatisfactory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td></td>
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<td>1st Unsatisfactory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td></td>
<td></td>
<td></td>
<td>1st Unsatisfactory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td></td>
<td></td>
<td></td>
<td>1st Unsatisfactory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td></td>
<td></td>
<td></td>
<td>1st Unsatisfactory</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td></td>
<td></td>
<td></td>
<td>1st Unsatisfactory</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 5
Number of Post-Tenure Reviews and Their Outcomes (from 1998-99 through 2002-03 Academic Years)

<table>
<thead>
<tr>
<th>Total Post-Tenure Reviews</th>
<th>No Problems or Needs Identified</th>
<th>Incomplete Reviews Due to Termination</th>
<th>All Improvement Expectations Met</th>
<th>Expectations for Improvement Not Met</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doctoral Institutions</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>College of William and Mary</td>
<td>252</td>
<td>231</td>
<td>11</td>
<td>4</td>
</tr>
<tr>
<td>George Mason University</td>
<td>9</td>
<td></td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Old Dominion University</td>
<td>4</td>
<td></td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>University of Virginia</td>
<td>28</td>
<td></td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>Virginia Commonwealth University</td>
<td>5</td>
<td></td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Virginia Tech</td>
<td>20</td>
<td></td>
<td>13</td>
<td>4</td>
</tr>
<tr>
<td>Comprehensive Institutions</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Christopher Newport</td>
<td>25</td>
<td>18</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td>University</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>James Madison University</td>
<td>4</td>
<td></td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Longwood University</td>
<td>2</td>
<td></td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Norfolk State University</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Radford University</td>
<td>3*</td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>University of Mary</td>
<td>1</td>
<td></td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>University of Virginia’s</td>
<td>17</td>
<td></td>
<td>17</td>
<td></td>
</tr>
<tr>
<td>College at Wise</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Virginia Military Institute</td>
<td>11</td>
<td></td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Virginia State University</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Two-Year Institution</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Richard Bland College</td>
<td>19</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>400</td>
<td>286</td>
<td>52</td>
<td>26</td>
</tr>
</tbody>
</table>

* One case is still pending.

Source: JLARC staff survey of Virginia public colleges and universities.
Institutions with No Post-Tenure Reviews. Two institutions (Norfolk State and Virginia State) did not conduct any post-tenure reviews in the past five years. Officials at these two institutions reported that no tenured faculty received the unsatisfactory annual evaluations necessary to trigger post-tenure reviews. Officials at Norfolk State University (NSU) said that the previous instrument used for annual evaluations may have been the reason why NSU had no post-tenure reviews in the past five years. Recently, NSU has developed an improved annual evaluation instrument that can make finer distinctions in faculty performance. The 2003-04 academic year has been the first full year of implementation of the new instrument. NSU officials indicated that they believe the revised annual evaluation now supports the post-tenure review process, when the previous version did not.

In contrast, when interviewed by JLARC staff, officials at Virginia State University (VSU) did not indicate that they were aware of any problems in their annual evaluation process during the five-year period (from the 1998-99 through the 2002-03 academic years). Officials did report that there were four post-tenure review cases pending during the 2003-04 academic year, but did not attribute these four cases to any particular changes in the evaluation process. VSU officials mentioned, however, that the tenure process tends to “weed out” underperforming faculty, and that having the post-tenure review process in place ensures more accountability for faculty performance.

Institutions with Routinely Scheduled Post-Tenure Reviews of All Faculty. During the past five years, three institutions (the College of William and Mary, the University of Virginia’s College at Wise, and Richard Bland College) had regularly scheduled full post-tenure reviews of all tenured faculty over a five- or six-year cycle, in addition to the normal annual evaluation. These routinely scheduled post-tenure reviews of all tenured faculty resulted in 92 to 100 percent of the cases at these three institutions falling into the “No Problems or Needs Identified” category.

Christopher Newport University (CNU) will also be requiring scheduled post-tenure reviews of all tenured faculty every six years, starting in the 2004-05 academic year. But during the past five years, CNU did not have this requirement. CNU officials attributed the 18 cases falling in the “No Problems or Needs Identified” category to faculty members actually requesting a post-tenure review. For example, if a faculty member is thinking about seeking a promotion, but is not sure how he or she will be received, asking for a post-tenure review is a way to “test the waters” and demonstrate his or her credentials. Similarly, a requested post-tenure review may explain why Virginia Commonwealth University has one case falling in the “No Problems or Needs Identified” category.

Incomplete Post-Tenure Reviews Due to Termination. Table 5 also shows that at most institutions, a substantial portion of the post-tenure review cases are incomplete, because the faculty member terminated employment before the review process was finished. Although there are several reasons why a faculty member may terminate employment (such as resignation or death), the most frequent form of termination among incomplete cases of post-tenure review appears to be retirement.
Cases of Improvement. In cases where deficiencies in a tenured faculty member’s performance are identified, the post-tenure review process often requires that a plan for addressing these deficiencies be developed and carried out over a finite period of time. Table 5 shows that a sizable proportion of these cases eventually resulted in the determination that the faculty member met all the expectations for improvement. These cases indicate that the post-tenure review achieved its primary objective: not “weeding out” a tenured faculty member, but improving that faculty member’s performance so that any deficiencies are corrected.

Cases in Which Expectations for Improvement Are Not Met. Table 5 shows that, conversely, there were a number of cases in which the development plan was not achieved, such that the identified deficiencies in performance were not adequately corrected. Table 6 shows the outcomes of those cases. The most frequent outcome of these cases is phased retirement. Under a phased retirement plan, fac-

<table>
<thead>
<tr>
<th></th>
<th>Total Cases</th>
<th>Phased Retirement</th>
<th>Mandatory Teacher Training</th>
<th>Workload / Assignment Changes</th>
<th>Salary Reduction or Ineligibility for Increase</th>
<th>Dismissal / Termination</th>
<th>Other</th>
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<tr>
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<tr>
<td>University of Virginia</td>
<td>17</td>
<td>11</td>
<td>1</td>
<td>3</td>
<td>2*</td>
<td></td>
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<tr>
<td>Virginia Tech</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td>2</td>
<td>1**</td>
<td></td>
</tr>
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<td>TOTAL</td>
<td>35</td>
<td>21</td>
<td>3</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>4</td>
</tr>
</tbody>
</table>

* Resigned to avoid termination
** Pending
*** Retired

Source: JLARC staff survey of Virginia public colleges and universities.
ulty can retire, but still continue to teach part time for a finite period, such as up to five years. The other outcomes and sanctions resulting from post-tenure review are also shown in Table 6. Only two cases (out of the 400 cases of post-tenure review in the past five years) resulted in dismissal or termination.
III. Conclusions

Concern regarding the tenure system at Virginia public colleges and universities is not new to the General Assembly. In 1994, the General Assembly passed SJR 139, which created the Commission on the Future of Higher Education. While addressing other issues as well, the Commission made several recommendations regarding tenure and faculty performance. This chapter examines how closely the institutions now appear to have followed the Commission’s recommendations, as well as the subsequent stipulations by the General Assembly regarding tenure and post-tenure review policies that were made in early 1996. The chapter also summarizes, from the institutions’ point of view, how they ensure that tenured faculty remain productive.

THE COMMISSION ON THE FUTURE OF HIGHER EDUCATION’S RECOMMENDATIONS

The Commission on the Future of Higher Education appeared to have concerns from the outset regarding tenure at Virginia’s public institutions. The Commission’s report from 1996 states:

The general public, with corporate executives among the more outspoken, are asking pointed questions about the meaning of tenure as we approach the new world of the 21st century. Many commission members, especially those of us who are not academics, admit to an intuitive, almost visceral, reaction against that aspect of tenure that appears to guarantee lifetime employment....[F]or the general public and corporate executives, tenure is about an entrenched system that is perceived to place a much higher premium on research than on teaching, that causes the institution to be inflexible rather than flexible, and that appears to ensure employment regardless of performance.

The Commission stated two general points:

- Tenure should be awarded for reasons that make sense to the general public; and
- Tenure, once achieved, must be followed by performance reviews that have real and substantial consequences.

In particular, the Commission made some specific statements about what the institutions should do by July 1, 1997, regarding tenure and post-tenure review. These statements, with some elaboration to explain their meaning, are shown in Exhibit 4. The 1996 General Assembly provided the institutions an incentive to follow the recommendations of the Commission. The Appropriation Act stated that any institution whose pre- and post-tenure review policies were not approved by the State Council of Higher Education for Virginia and the Secretary of Education would
Institutions Have Complied with Recommendations

Chapter II and the institutional profiles in Appendix C clearly show that the institutions’ policies on tenure and post-tenure review all follow the first three sets of recommendations listed in Exhibit 4. All institutions have adopted institution-wide policies. They all have processes for regular evaluation of tenured faculty. They all exhibit the listed characteristics of an “effective post-tenure review policy.”

Exhibit 4

Commission on the Future of Higher Education
Recommendations on Tenure and Post-Tenure Review

• “There should be institution-wide policies and general criteria for the application of tenure-track agreements with faculty.” Tenure-track decisions should not be left solely to the department where the faculty member belongs.

• “The faculty of the colleges and universities, working with the administration of those institutions, must take the responsibility to develop and support a process for regular evaluation of tenured faculty that leads to continuous improvement in their teaching, research, and service, or results in negative actions such as dismissal.” The board of visitors of each institution should require the development of this process. The process should make clear that sanctions for unsatisfactory performance include reduction in salary and dismissal. The evaluations should be conducted according to a reasonable, periodic schedule that fits each institution. Standards of performance should, at a minimum, relate to each of the faculty member’s responsibilities.

• “An effective post-tenure review policy should exhibit the following characteristics:

  • It should be the product of a joint effort by the faculty and administration, integrated with the regular faculty evaluation policy;

  • It should be developmental in nature so that a tenured faculty member who is not performing at the desired level has the opportunity to develop goals and a plan to meet the expectations together with the administration;

  • It should include a timetable to achieve the mutually agreed-upon goals;

(Continues on next page)
## Exhibit 4 (Continued)

Commission on the Future of Higher Education
Recommendations on Tenure and Post-Tenure Review

- *The review should be systematic and uniformly applied, provide for due process, and be connected to the existing means available to faculty to redress grievances;*

- *The evaluations should be conducted according to a reasonable, periodic schedule that fits each institution."

- *“The institutions should establish and maintain a clear balance between teaching and scholarship in tenure decisions.”* The Commission stated that the scales now tip too heavily toward scholarship and research. Instead, the Commission said that the tenure-track agreement need not, in each and every case, require that scholarly works be published. Instead, tenure should not be denied to those faculty members who have chosen to be excellent teachers, but not necessarily published scholars as well.

- **Other elements for recruiting and retaining a quality faculty [that relate directly to tenure review and post-tenure review processes]:**
  - *Real evaluation about reappointment during the probationary period,*
  - *A systematic and in-depth pre-tenure review process,*
  - *A readiness for faculty peers to take the responsibility to make hard decisions about the reappointment and tenure recommendations of their colleagues who are not achieving expectations in teaching, research, and service.*

Note. Emphasis (noted by underlining) added by JLARC staff.


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What is not so clear is whether all of the institutions have actually followed their policies in the past five years. The fact that two institutions (Norfolk State University and Virginia State University) have not had any post-tenure reviews in the past five years raises this question. Officials at Norfolk State said that the annual review process that was in place during this time did not adequately support its post-tenure review policies; however, the new annual review process that is being implemented for the first time this year should address this problem. Virginia State officials, in contrast, did not provide specific reasons as to why there were no post-tenure reviews in the past five years, other than to say that there were no unsatisfactory annual reviews (although officials report that in this current year there are four post-tenure reviews underway).
The institutions appear to have complied with the other recommendations in Exhibit 4 as well. Although the evidence may not be as clearly shown in Chapter II, much of it can be derived from the institutional profiles in Appendix C. The remainder of this section summarizes how the institutions appear to be in compliance with the other recommendations.

Balance Between Teaching and Scholarship

In their faculty handbooks, all institutions state that there are three primary criteria on which tenure decisions are based: teaching, research and scholarship, and service. Many institutions have taken extra steps to highlight the teaching function. For example, George Mason University has a “genuine excellence in teaching” program, in which a faculty member who demonstrates excellent teaching can be considered for tenure without as much emphasis on research and publishing. Other institutions, such as Christopher Newport University and the University of Mary Washington, state explicitly in their policies that teaching effectiveness is the first priority in tenure decisions.

Evaluation of Reappointment During the Probationary Period

Tenure-track faculty generally have a probationary period of six or seven years. During this period, they have contracts of employment for limited amounts of time (such as one or two years), which means they must be reappointed multiple times during this probationary period if they are to stay at the institution. In interviews with JLARC staff, officials at the institutions emphasized how the evaluations from the reappointment process inform these faculty members about their progress toward tenure. The reappointment process also provides the institutions a means for “weeding out” those who would not be awarded tenure well before the full tenure review.

Pre-Tenure Review

Tenure-track faculty are subject to pre-tenure peer reviews to let them know their progress toward tenure. Most institutions have a pre-tenure review during the third year of the probationary period. Some institutions do it more frequently, such as during the second and fourth year, or during each year of the probationary period.

Peers Make Recommendations on Reappointment and Tenure

It is clear (from the “Central Participants” discussed in Chapter II and listed in the institutional profiles in Appendix C) that a committee of faculty peers plays a central role in all tenure decisions. A review of the reappointment processes (as documented in the faculty handbooks of the institutions) also indicates that faculty peers generally have a role in reappointment decisions. But the nature and conditions of their participation can vary greatly from one institution to another.
ENSURING TENURED FACULTY REMAIN PRODUCTIVE

JLARC staff asked officials at all 16 institutions to summarize how they ensure that tenured faculty continue to be productive. The individual responses can be found in the institutional profiles in Appendix C. The responses can also be summarized in terms of several themes that JLARC staff heard repeatedly.

The Annual Evaluation Is Central to the Post-Tenure Review Process

Almost all institutional officials interviewed by JLARC staff emphasized how a rigorous annual review process is the real backbone to their evaluation of tenured faculty. In many cases, it is the screen that identifies areas of concern and determines whether a more in-depth post-tenure review process is necessary. All faculty members receive a substantial amount of feedback every year from their annual reviews. Consequently, most institutions have dedicated much effort in the annual evaluation instruments or statements of faculty expectations on which annual reviews are based. Another reason for the annual review to be taken seriously by tenured faculty is because it is generally tied to salary adjustments.

The Tenure Process Itself Tends to Select Those Who Would Most Likely Remain Productive

Officials at several institutions told JLARC staff that tenure-track faculty members who stay through the entire probationary period, and who are not “weeded out” through the reappointment process or pre-tenure reviews, are the ones who have developed solid records of achievement in teaching, scholarship, and service. Faculty members who receive unfavorable pre-tenure reviews tend to exit the system prior to the tenure review (either through not having their contracts renewed, or leaving voluntarily). The faculty members who are granted tenure already have a strong teaching and research record, and tend to like teaching, research, and service activities. Therefore, they have a greater likelihood of remaining active in these areas after tenure is granted.

Incentive for Promotion to Full Professor Exists After Tenure Is Attained

Officials at one institution said that even after tenure is attained, there is still room for promotion, which would provide tenured faculty members an incentive to remain productive. Tenure is most often awarded at the same time as promotion to the associate professor level. The process for being promoted to full professor takes eight to ten years on average after tenure is attained.

There Is Peer Pressure to Remain Productive

One institutional official told JLARC staff, “The main reason faculty try to stay productive is peer driven.” Officials at other institutions said that if a faculty member is not performing up to standards, peers tend to make that individual aware of it. “Everybody is having to do more with less,” so if anyone is not carrying
his or her load, it is noticed. Officials at another institution noted that peer pressure is why in general, “it is good to have colleagues reviewing each other.”

**Institutions Make Clear Their Expectations**

Officials at some institutions mentioned that another way of ensuring that tenured faculty continue to be productive is that the expectations are clearly spelled out. Some institutions do it through their university handbook. Another does it through its annual faculty evaluation instrument. Yet another has its own Statement of Faculty Expectations.

**Reward Systems Also Help Ensure Productivity**

Some officials indicated that while post-tenure review may provide the means to impose punishments when faculty are unproductive, there are also rewards that encourage productivity as well. These rewards include competitive educational leave programs, professional development opportunities supported by the institution, and awards.

The most important reward in the past has been merit pay. But merit pay has not provided much incentive for performance in recent years at some institutions, according to institutional officials. Officials have attributed this problem to the fact that in recent years, there has been no State funding for faculty salary raises. This situation especially affects those institutions that do not have sufficient endowment funds to supplement State funding for faculty salaries. However, the 2004 General Assembly appropriated a three percent increase in funding for faculty salaries, which could be used by the institutions to revitalize their merit pay programs in the near future. Moreover, several colleges and universities have recently announced that additional funds provided by the institutions will be used for faculty retention purposes.
Appendix A

Study Mandate

Section 30-58.1C of the Code of Virginia specifies that the Joint Legislative Audit and Review Commission has the power to make “special studies and reports of the operations and functions of state agencies as it deems appropriate.” At its November 10, 2003 meeting, the Commission unanimously voted in favor of approving exploratory study planning relating to higher education tenure policies, particularly post-tenure review.
Appendix B


Faculty Tenure

The general public, with corporate executives among the more outspoken, are asking pointed questions about the meaning of tenure as we approach the new world of the 21st century. Many commission members, especially those of us who are not academics, admit to an intuitive, almost visceral, reaction against that aspect of tenure that appears to guarantee lifetime employment.

Academic freedom is not at question. It is universally accepted that faculty scholars must have the freedom to follow their inquiries wherever they may lead, regardless of whether their work is popular or in accord with conventional notions of truth. And, faculty must be assured of their freedom of speech to share their scholarship. Tenure has historically protected this freedom of inquiry, although a strong body of case law and other legal protections also now exist.

The value of the faculty in general and the high esteem with which we hold the faculty as a body are, likewise, not at question. We cherish the faculty. The faculty are higher education.

However, for the general public and corporate executives, tenure is about an entrenched system that is perceived to place a much higher premium on research than on teaching, that causes the institution to be inflexible than flexible, and that appears to ensure employment regardless of performance. As higher education attempts to keep pace with the rest of society and restructure itself to meet today’s requirements, these aspects of tenure do not fit.

It is essential at the outset of the discussion to recognize that tenure is not a parochial issue for Virginia. Tenure is a national system. Virginia’s colleges and universities are part of a vast network of more than 3,000 institutions of higher education in the United States. It is not practical nor advantageous for Virginia to consider the abolition of tenure for faculty at its public colleges and universities. The consequence would be the decline of those institutions who compete for faculty in a national and international marketplace. While we might not lose the most outstanding faculty who are at our colleges and universities, our efforts to hire the best for the next generation of scholars could be damaged. (We note that this is not as much an issue for the community colleges because they do not have a tenure system in place on their campuses, their market for faculty recruitment tends to be local rather than national, and because community college faculty generally do not build national reputations on the basis of their research or scholarship.)
The institutions, with their boards of visitors taking the lead, should establish and maintain a clear balance between teaching and scholarship in tenure decisions. The scales now tip too heavily toward scholarship. Both are important, but balance is essential. The general public sees little value in a tenured faculty member renowned in his field who is not interested in passing on the products of his scholarship to students. Tenure based almost entirely on publish or perish encourages the production of such faculty. The tenure-track agreement need not, in each and every case, require that scholarly works be published. Tenure should not be denied to those faculty members who have chosen, and so demonstrated, that they wish to be excellent teachers but not necessarily published scholars, as well.

The faculty member is expected to divide his loyalties between his discipline on the one hand, and his institution and his students, his community and his state on the other hand. The responsibility of faculty scholars is to create new knowledge and to help the next generation of students become thoughtful, independent citizens. Ideally, all faculty involved in research have the skills to incorporate their findings and scholarship into the classroom. In our view, knowledge is not advanced if it does not reach the student.

Beginning with guidance from the boards of visitors, our colleges and universities must become more business-like about tenure. There should be institution-wide policies and general criteria for the application of tenure-track agreements with faculty. The tenured faculty member is a highly valued resource for the entire university and its student body, for the community and the state; tenure-track decisions should not be left solely to the department where the faculty member belongs.

And, the board of visitors and administration must not feel under siege by organizations or traditions that stifle flexibility in the use of faculty resources as the board considers which programs to scale back or discontinue and which programs to accelerate or initiate. Ways must be found, perhaps through retraining or through inter-collegiate cooperation, to facilitate faculty mobility to accommodate changes in demand and direction of the curriculum.

The rapid pace of change in technologically advanced economies means that the activities of any institution must change radically, possibly several times, during the lifetime of any professional person. Those who remain flexible not only can adjust to change but also can shape it creatively and remain useful to the institution.

Which brings us to the lifetime job aspect of tenure. If a job is not being done satisfactorily, the incumbent must be replaced. This is why we have emphasized the importance of rigorous post-tenure performance review in this report, and why we commend the Council of Higher Education for doing so in its review of restructuring progress.

The development of post-tenure review policies and procedures is an important factor in effectively addressing the concerns raised about tenure. The faculty of the colleges and universities, working with the administration of those institutions, must take the responsibility to develop and support a process for regu-
lar evaluation of tenured faculty that leads to continuous improvement in their teaching, research, and service, or results in negative actions such as dismissal.

The evaluations should be conducted according to a reasonable, periodic schedule that fits each institution. Standards of performance should, at a minimum, relate to each of the faculty member’s responsibilities. Peer review is but part of the story. Contributions to the ability of the institution is to serve its constituencies must receive at least equal weight.

An effective post-tenure review policy should exhibit the following characteristics. It should be the product of a joint effort by the faculty and administration, integrated with the regular faculty evaluation policy; it should be developmental in nature so that a tenured faculty member who is not performing at the desired level has the opportunity to develop goals and a plan to meet the expectations together with the administration; and it should include a timetable to achieve the mutually agreed-upon goals. The review should be systematic and uniformly applied, provide for due process, and be connected to the existing means available to faculty to redress grievances.

However, the implementation of a post-tenure review policy by itself is not sufficient to address the larger issue of how to recruit and retain a quality faculty. The other elements that need to be included are an effective faculty recruitment process that includes careful screening criteria for all tenure track positions, real evaluation about reappointment during the probationary period, a systematic and in-depth pre-tenure review process, the availability of faculty development opportunities for growth and remediation, and a readiness for faculty peers to take the responsibility to make hard decisions about the reappointment and tenure recommendations of their colleagues who are not achieving expectations in teaching, research, and service.

The commission recommends that each state-supported college and university be directed to adopt and include in its restructuring plan institution-wide policies and programs for both the determination of tenure and for post-tenure performance review. Such policies and programs should begin no later than July 1, 1997, and should include the requirement for a written agreement between the institution administration and each faculty member regarding the duties and responsibilities of each faculty member. The Council of Higher Education should submit a report to the 1997 General Assembly detailing the progress each institution is making toward the development of these policies and programs.

In summary, if tenure systems are to remain viable in higher education, tenure should be awarded for reasons that make sense to the general public. And tenure, once achieved, must be followed by performance reviews that have real and substantial consequences.
Appendix C

Profiles of Individual Institutions

**Doctoral Institutions**
College of William and Mary .................................................. C-3
George Mason University ...................................................... C-7
Old Dominion University ...................................................... C-11
University of Virginia ......................................................... C-15
Virginia Commonwealth University ......................................... C-19
Virginia Tech ................................................................. C-23

**Comprehensive Institutions**
Christopher Newport University .............................................. C-27
James Madison University ................................................... C-31
Longwood University ........................................................... C-35
Norfolk State University ..................................................... C-39
Radford University ............................................................. C-43
University of Mary Washington ............................................. C-47
University of Virginia’s College at Wise ................................ C-51
Virginia Military Institute .................................................... C-55
Virginia State University ..................................................... C-59

**Two-Year Institution**
Richard Bland College ........................................................ C-63
## Summary of Tenure and Post-Tenure Review Policies

<table>
<thead>
<tr>
<th>Policy Characteristics</th>
<th>Summary or Status</th>
</tr>
</thead>
</table>
| **Year Policies Last Reviewed by Institution** | Tenure review: 2000.  
| **Annual Evaluation / Review of Faculty** | All faculty members, including tenured faculty, are subject to annual evaluations. |
| **Frequency of Full Post-Tenure Review Process** | In cases where the annual review reveals unacceptable performance in any area of responsibility, normally over a period of two years. |
| **Post-Tenure Review Process Exemptions and Exceptions** | None in policy, but if faculty members decided to resign or retire, no post-tenure review would occur. |
| **Central Participants in Tenure or Post-Tenure Review** | Tenure review: Faculty in department and scholars outside university who provide references; dean; dean's promotion and tenure committee; provost's promotion and tenure committee; approval of provost, president, and board of visitors.  
Post-tenure review: Department chair; dean; peer review committee, if requested by faculty member; provost makes decision regarding suspension or termination. |
| **Information Collected** | Tenure review: Typically (although can be different for each school or department): curriculum vitae; copies of all publications and manuscripts awaiting publication; prose statement from candidate describing work in progress and teaching and research plans; copy of Third Year Review; report of candidate's teaching performance; departmental evaluation of candidate's published work and career trajectory; evaluation of service to department, university, profession, and Commonwealth; eight to ten letters solicited from outside experts assessing candidate's work and professional standing; all available review of candidate's published work or work submitted for publication; letter from department chair.  
Post-tenure review: Depends on the improvement plan that is developed by faculty member after an unsatisfactory annual review. |
| **Criteria / Standards** | Student instruction, scholarship and research (and/or creative activity), and service to the university, profession, and public. |
| **Consequences If Post-Tenure Review Finds Deficient Performance** | Depending on the context and severity of the unacceptable performance, "appropriate" remedial action may include developing an agreed-upon work plan, a reassignment of duties and responsibilities, written notice that performance in specified respects must be improved, or other actions designed to improve faculty member's performance within one to three years. In cases where unacceptable performance is not corrected, faculty member may have salary reduced or may be suspended or terminated from university employment. |
| **Appeals Process** | Tenure review: Candidate may request provost to review negative recommendations; provost may refer such appeals to provost's promotion and tenure committee.  
Post-tenure review: Faculty members who face possible suspension or termination may appeal through formal grievance procedures. |
Summary of Tenure and Post-Tenure Review Statistics

Total Tenure Reviews (during 2002-03 academic year): 48
   Awarded Tenure: 37
   Denied Tenure: 11
   Appeals: 4
   Successful Appeals: 1

Total Post-Tenure Reviews (from 1998-99 through 2002-03 academic years): 28
   No problems/needs identified:
     Incomplete reviews due to termination: 5
     All improvement expectations met: 6
     Expectations for improvement not met: 17
   Results:
     No sanctions:
       Phased retirement: 11
       Mandatory teacher training: 1
     Workload/assignment changes:
       Ineligibility for travel funding or professional development leave: 3
       Salary reduction or ineligibility for increase: 3
     Demotion in rank:
       Suspension: 1
     Dismissal/Termination:
       Other (Resigned in order to avoid termination): 2

Tenure Status of Full-Time Faculty (during 2002-03 academic year):

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<tr>
<th>College/School</th>
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<th>Tenure-Track</th>
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<td>6</td>
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<tr>
<td>Arts &amp; Sciences</td>
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<td>119</td>
<td>606</td>
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<tr>
<td>Continuing and Prof. Studies</td>
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<td>0</td>
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<tr>
<td>Education (Curry)</td>
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Non-Tenure-Track, Full-Time Faculty Categorized (during 2002-03 academic year):

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<th>Category</th>
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<tr>
<td>Clinical</td>
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<td>In-Residence Faculty</td>
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Fall 2003 Enrollments (Headcounts)

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<tr>
<td>Number of graduate or first professional students</td>
<td>9,248</td>
</tr>
<tr>
<td>Number of graduate teaching assistants</td>
<td>927</td>
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</table>
Overall, how does the University of Virginia ensure that tenured faculty continue to be productive?

UVA has rigorous annual reviews coupled with post-tenure reviews. The main reason faculty try to stay productive is peer driven. They are driven to be excellent. The review process checks up on faculty, but it does not inspire them. The reviews of their peers, including international peers, and students are important. People are judging you internationally based on what you have written. UVA also gives out teaching awards. But generally, the university focuses on excellence in scholarship.

A number of issues are dealt with in the annual review process. If a problem is identified and dealt with, then there is no post-tenure review. Review of faculty members is constant, and the degree of accountability is higher than many people think. Annual reviews are the metric that all salary increases are based on. There is a university-wide policy on which annual reviews are based that is very general. However, the different departments write their own descriptions of specific annual review criteria. Faculty members are compared against others in their field, not against faculty members in other departments at UVA.

Are post-tenure reviews effective at getting staff who are declining to be productive again?

Most of these situations are self-correcting. For example, if a faculty member cannot get external funding anymore, maybe he/she will naturally change to more teaching. In the arts and sciences, the service burden changes. The better people give more service. The university tries to protect junior people to give them more time for research, so the senior faculty give more service. A lot of this service is not just within the university but includes serving on international societies and other functions. This improves the status of the university. In summary, by the time someone gets to post-tenure review, he or she already should have responded to problems that have been identified, but did not.

Two years of unacceptable annual reviews would trigger a post-tenure review. The review will focus on particular areas that need to improve. (One thing to be aware of is that some areas, for example research, are often cyclical.) Department heads and deans are often looking for patterns in the annual reviews. Toward the end of a faculty member’s career, there may be a pattern of decline that triggers a post-tenure review.

When looking at the percentages of full time faculty who were tenured and on tenure-track in 1993, 1997 and 2001 (from National Center for Education Statistics IPEDS data), there was a slight decrease in the percentage of tenured faculty in 2001. What accounts for this decrease?

There has been an increase in non-tenure track faculty, particularly researchers that are not tenure track, which reduces the percentage of tenure track faculty. For example, there has been an increase in research faculty in medicine. The number of full-time non-tenure track faculty in the medical school increased from 12 percent to 20 percent in 2000. The Federal research budget also has quadrupled in recent years, which has contributed to the increase in non-tenure track research faculty.
There probably has not been a big change in the number of tenure-eligible faculty. If the number of tenured faculty was going up by much, UVA would worry that it was getting too top heavy. UVA has tried to limit the number of adjuncts.

- **Under what circumstances are full-time faculty hired for non-tenure-track positions?**

There are three circumstances:

1. Full-time researchers.

2. Faculty that are teaching a large number of classes full-time but are not carrying out other functions, such as research. These types of faculty might be found in specialized areas for which there is student demand, such as some of the Asian languages. This allows more flexibility for the university.

3. Clinical faculty at the medical schools. These faculty still see patients, but they also have students. There are hundreds of clinical faculty at UVA. They are classified as instructional.

- **Are faculty allowed to choose non-tenure-track employment?**

Faculty are very rarely allowed to choose their type of employment. Normally UVA advertises a position as a particular position type. Tenure-track and non-tenure track positions are pretty well segregated.

- **Is it typical for the University of Virginia to deny tenure to over 20 percent of the candidates who are reviewed?**

The tenure results shown for the 2002-03 academic year are typical for UVA since the tenure process is a fairly constant one. Only 50 percent of those that begin as assistant professors get tenure. The more elite the school, the less likely it is to give tenure. The Ivy League has become unreasonable about not granting tenure. One would hope a candidate ends up deserving of tenure, because the replacement costs of faculty are astounding. During the probationary period, faculty are reviewed every year and there is a third-year peer review.

- **What are the indirect outcomes of having a post-tenure review policy in place?**

Retirement is the most common indirect outcome. For those who took phased retirement, the post-tenure review process pushes them over the line to retire.

- **Have there been any complaints from faculty regarding how much time and effort is taken up by the tenure review process or the post-tenure review process?**

There have been no complaints, particularly for tenure. Time and effort is built into the process for tenure for both the review committees and the tenure candidates. Some feel that tenure is what faculty members get instead of money. The evaluation process is long, but everyone realizes the benefits and takes the process very seriously.
## Summary of Tenure and Post-Tenure Review Policies

<table>
<thead>
<tr>
<th>Policy Characteristics</th>
<th>Summary or Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Year Policies Last Reviewed by Institution</strong></td>
<td>2003.</td>
</tr>
<tr>
<td><strong>Annual Evaluation / Review of Faculty</strong></td>
<td>All faculty have a written annual evaluation.</td>
</tr>
<tr>
<td><strong>Frequency of Full Post-Tenure Review Process</strong></td>
<td>Triggered by an overall unsatisfactory rating on the annual evaluation. (Rating categories are: excellent, very good, satisfactory, needs improvement, and unsatisfactory.)</td>
</tr>
<tr>
<td><strong>Post-Tenure Review Process Exemptions and Exceptions</strong></td>
<td>No additional post-tenure review if no overall unsatisfactory rating in annual evaluation.</td>
</tr>
<tr>
<td><strong>Central Participants in Tenure or Post-Tenure Review</strong></td>
<td><strong>Tenure review:</strong> Peer committee (tenured faculty primarily from the school); department chair; school promotion and tenure committee; dean of school; vice-president for academic affairs or for health sciences; president and Board of Visitors. <strong>Post-tenure review:</strong> post-tenure review panel (five tenured faculty members, at least two from faculty member's department and at least one from another department), which reports to department chair and dean of school.</td>
</tr>
<tr>
<td><strong>Information Collected</strong></td>
<td><strong>Tenure review:</strong> Candidate develops a file following guidelines established by the department. The file includes information on credentials and experience; demonstrated quality in teaching; demonstrated continuing scholarship and professional growth; demonstrated performance of service responsibilities; and demonstrated performance of responsibilities unique to the school or department. The file would include as supporting documentation: student evaluations, individualized work plans, prior reviews, and written internal and external evaluations. <strong>Post-tenure review:</strong> department's work load policy; any written agreement about the faculty member's role and performance expectations; all annual evaluations; faculty member's current vita; statement of activities since the most recent annual evaluation.</td>
</tr>
<tr>
<td><strong>Criteria / Standards</strong></td>
<td><strong>Tenure review:</strong> appropriate credentials and experience; demonstrated quality in teaching; demonstrated continuing scholarship and professional growth; demonstrated performance of service responsibilities; additional special criteria unique to a given school and/or department. <strong>Post-tenure review:</strong> Specific criteria are set by the different schools and departments. General university-wide criteria are included in the &quot;Faculty Roles and Rewards Policy&quot; section of the Faculty Handbook.</td>
</tr>
<tr>
<td><strong>Consequences If Post-Tenure Review Finds Deficient Performance</strong></td>
<td>If the post-tenure review panel finds that the faculty member's performance was unsatisfactory during the period in question, the panel, department chair and/or dean, and the faculty member will develop a two-year improvement plan. At the end of the first year of the improvement plan, the panel will either recommend continuation of the plan through the second year, modification of the plan, or if it is evident that no progress has been made toward improvement, it shall recommend to the chair and/or dean that they initiate dismissal for cause. At the end of the two-year plan, the panel will reconvene and again conduct a review of the faculty member's performance. If it finds that the faculty member's performance has been satisfactory, the review process ends. If it finds that the faculty member's performance is unsatisfactory, it shall recommend dismissal for cause.</td>
</tr>
<tr>
<td><strong>Appeals Process</strong></td>
<td>All appeals concerning tenure or post-tenure reviews go to the University Appeal Committee. The Committee contacts those review bodies identified with the decision being appealed. After reviewing the record and hearing testimony, the Committee shall take one of the following actions and shall forward its recommendation to the president: (1) vote to support the appellant; (2) vote to deny the appellant; or (3) decide that the candidate's file should be reconsidered at a prior level of review.</td>
</tr>
</tbody>
</table>
Summary of Tenure and Post-Tenure Review Statistics

Total Tenure Reviews (during 2002-03 academic year): 40
  Awarded Tenure: 37
  Denied Tenure: 3
  Appeals: 2
  Successful Appeals: 1

Total Post-Tenure Reviews (from 1998-99 through 2002-03 academic years): 5
  No problems/needs identified: 1
  Incomplete reviews due to termination: 2
  All improvement expectations met: 
  Expectations for improvement not met: 2

Results: 
  No sanctions: 
  Phased retirement: 1
  Mandatory teacher training: 
  Workload/assignment changes: 1
  Ineligibility for travel funding or professional development leave: 
  Salary reduction or ineligibility for increase: 
  Demotion in rank: 
  Suspension: 
  Dismissal/Termination: 
  Other:

Tenure Status of Full-Time Faculty (during 2002-03 academic year):

<table>
<thead>
<tr>
<th>College/School</th>
<th>Tenured</th>
<th>Tenure-Track</th>
<th>Neither Tenured</th>
<th>Nor Tenure-Track</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Humanities and Sciences</td>
<td>174</td>
<td>38</td>
<td>68</td>
<td>280</td>
<td></td>
</tr>
<tr>
<td>Allied Health Professions</td>
<td>26</td>
<td>13</td>
<td>29</td>
<td>68</td>
<td></td>
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<tr>
<td>School of the Arts</td>
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<td>22</td>
<td>44</td>
<td>151</td>
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<tr>
<td>Business</td>
<td>80</td>
<td>4</td>
<td>14</td>
<td>98</td>
<td></td>
</tr>
<tr>
<td>Dentistry</td>
<td>33</td>
<td>8</td>
<td>21</td>
<td>62</td>
<td></td>
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<tr>
<td>Education</td>
<td>30</td>
<td>14</td>
<td>63</td>
<td>107</td>
<td></td>
</tr>
<tr>
<td>Engineering</td>
<td>27</td>
<td>11</td>
<td>4</td>
<td>42</td>
<td></td>
</tr>
<tr>
<td>Medicine</td>
<td>247</td>
<td>40</td>
<td>370</td>
<td>657</td>
<td></td>
</tr>
<tr>
<td>Nursing</td>
<td>14</td>
<td>7</td>
<td>10</td>
<td>31</td>
<td></td>
</tr>
<tr>
<td>Pharmacy</td>
<td>19</td>
<td>7</td>
<td>32</td>
<td>58</td>
<td></td>
</tr>
<tr>
<td>Social Work</td>
<td>23</td>
<td>4</td>
<td>23</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Other Academic Areas</td>
<td>1</td>
<td>0</td>
<td>38</td>
<td>39</td>
<td></td>
</tr>
</tbody>
</table>

Non-Tenure-Track, Full-Time Faculty Categorized (during 2002-03 academic year):

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visiting</td>
<td>123</td>
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<tr>
<td>Teaching</td>
<td>589</td>
</tr>
<tr>
<td>Research</td>
<td>4</td>
</tr>
<tr>
<td>In-Residence Faculty</td>
<td>204</td>
</tr>
<tr>
<td>Other*</td>
<td>588</td>
</tr>
</tbody>
</table>

*Research assistants & associates

Fall 2003 Enrollments (Headcounts)

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of undergraduate students</td>
<td>18,312</td>
</tr>
<tr>
<td>Number of graduate or first professional students</td>
<td>8,458</td>
</tr>
<tr>
<td>Number of graduate teaching assistants</td>
<td>588</td>
</tr>
</tbody>
</table>
Additional Notes from Interview During Site Visit

- Are there policies or processes related to the implementation of tenure at VCU that are unique to this institution?

  1. VCU changed its policy last year to allow collateral (non-tenured) faculty to serve on the promotion committees for other collateral faculty.

  2. The University Promotion and Tenure Policy Review Committee formulates general instructions and schedules, receives written guidelines for promotion and tenure from each unit where academic personnel actions are initiated, reviews those guidelines for clarity and conformity with the University Faculty Promotion and Tenure Policy and Procedures document, performs an in-depth review of all steps of the promotion and tenure review processes in each school on a rotating three-year basis, and reports annually to the president and faculty. Additionally, there is a university-wide appeals committee, which considers appeals from decisions not to award promotion or tenure and appeals from decisions to terminate a tenured faculty member for cause.

- When looking at the percentages of full-time faculty who were tenured and on tenure-track in 1993, 1997 and 2001 (from National Center for Education Statistics IPEDS data), VCU’s percentage of full-time faculty with tenure or on tenure track has declined over this period. Has VCU instituted a policy to reduce the portion of full-time faculty who are tenured or on tenure-track?

  VCU has no formal policy to decrease the percentage of tenured faculty. This decrease occurred for several reasons:

  1. VCU has hired more faculty that are 100 percent research and clinical and are not on tenure-track.

  2. In addition to the State WTA program, VCU has offered an alternative severance option and an early retirement incentive program that have provided incentives for eligible tenured faculty, with management approval, to retire or resign to accept other positions outside the university. The alternative severance option and early retirement incentive program are tools for academic restructuring.

  3. There has been less money available to hire full-time faculty.

  4. VCU has hired more collateral faculty to provide increased flexibility during a time of budgetary uncertainty. Generally, collateral faculty are paid less than tenure-track faculty. Some collateral faculty do not have doctoral degrees, but all meet SACS and discipline guidelines on faculty qualifications. VCU has a low number of graduate TAs relative to other universities, and uses more collateral faculty, in part because VCU is able to attract talented, qualified people from the local area.

  VCU is actively building its tenured faculty and is planning to fill vacancies with tenured faculty. Basically, VCU tried to refresh its tenured faculty with early retirement options, but then was faced with budget cuts that prevented them from filling the vacancies with new tenured or tenure-track faculty.

  Among tenure-track faculty who are reviewed for tenure, there are a low number of tenure denials, in part, because VCU has a third-year review of tenure-track faculty. This review is very
useful. VCU would not want someone to stay who is ultimately going to be denied tenure. The third-year review is a win-win situation for both the university and the candidate. The third-year review has been around for at least ten years.

- **Under what circumstances are full-time faculty hired for non-tenure-track positions?**

  This responsibility is entrusted with the deans, who pay attention to enrollment patterns. Where possible, VCU prefers to hire tenure-track faculty. However, many research faculty are purposefully hired on collateral contracts.

  Collateral faculty generally are hired on one- to five-year contracts, and the contracts can be renewed. Occasionally, collateral faculty apply for tenure-track positions at other universities.

- **Are faculty allowed to choose non-tenure-track employment?**

  No. VCU decides when it advertises a position whether it is tenure-track. The deans make this decision based on enrollment and budgets. VCU wants to increase the number of tenured and tenure track faculty, but needs a stable budget.

- **Were there items in the survey that need further comment or elaboration?**

  “Research” and “clinical” designations are not mutually exclusive. Of the 589 non-tenure research faculty reported, 318 have appointments in clinical departments.

- **What are the indirect outcomes of having a post-tenure review policy in place?**

  Keeping faculty productive is the main thing. Retirements may also be an indirect effect.

- **Have there been any complaints from faculty regarding how much time and effort is taken up by the tenure review process or the post-tenure review process?**

  There have been no complaints. Faculty are aware of the importance of these processes, particularly for tenure.

- **Overall, how does VCU ensure that tenured faculty continue to be productive?**

  Deans and department chairs focus on faculty workload and productivity at the unit level. Annual evaluations also play a role. Annual evaluations are based on assigned workloads. Faculty are evaluated based on their particular teaching or research assignments. Faculty members teach four, six, or eight courses (over the entire year) depending on the amount of research they conduct. When coupled with faculty roles and rewards, post-tenure review allows for progression and professional development and maximizes the opportunity for faculty to contribute to departmental/school goals and objectives.
### Summary of Tenure and Post-Tenure Review Policies

<table>
<thead>
<tr>
<th>Policy Characteristics</th>
<th>Summary or Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Year Policies Last Reviewed by Institution</strong></td>
<td>2003</td>
</tr>
<tr>
<td><strong>Annual Evaluation / Review of Faculty</strong></td>
<td>All faculty are reviewed annually.</td>
</tr>
<tr>
<td><strong>Frequency of Full Post-Tenure Review Process</strong></td>
<td>Triggered when faculty member receives &quot;unsatisfactory&quot; rating during annual performance review for two successive years</td>
</tr>
<tr>
<td><strong>Post-Tenure Review Process Exemptions and Exceptions</strong></td>
<td>No additional post-tenure review if no unsatisfactory ratings in annual evaluations. Review may be waived or postponed in extenuating circumstances (such as health problems).</td>
</tr>
</tbody>
</table>
| **Central Participants in Tenure or Post-Tenure Review**                               | Tenure review: departmental committee and head or chair; college committee and dean; university committee and provost.  
Post-tenure review: departmental promotion and tenure committee; department head or chair; dean; report to provost. |
| **Information Collected**                                                               | Tenure review candidate dossier consists of: resume; recommendation statements; candidate's statement; evidence of teaching and advising effectiveness, including student evaluations; research, scholarly, and creative achievements; outreach professional accomplishments, including committee service.  
Post-tenure review dossier includes: up-to-date curriculum vitae; the past two or more faculty activity reports; teaching assessments; description of activities and accomplishments since the last faculty activity report. Last two annual evaluations and supporting materials are also included in post-tenure review. |
| **Criteria / Standards**                                                                | Tenure review: Candidate demonstrating high level of general competence in (1) teaching, (2) research, and (3) outreach. Beyond basic foundation of competence, tenure decisions will be influenced by signs of genuine excellence in one or two areas. Tenure decisions shall also reflect future departmental program directions, and shall maintain flexibility by preserving opportunities to appoint new faculty in various sub-fields of department.  
Post tenure review: departmental standards for (1) instruction, (2) activity in and contribution to the academic discipline, (3) contributions to collective life of department, college, and university, and (4) university's outreach. |
| **Consequences If Post Tenure Review Finds Deficient Performance**                     | Departmental committee review may result in one of the following outcomes: certification of satisfactory performance; or certification of deficiencies, with a recommendation for (1) a period of remediation (not more than two years), (2) sanction other than dismissal for cause (such as demotion in rank, reduction in salary, or suspension without pay), or (3) dismissal for cause. |
| **Appeals Process**                                                                    | Tenure review: faculty member may appeal negative department decision to college committee on tenure and promotion, and to dean; positive college-level decision is sent with dossier to university committee (as in normal review process). If department decision is positive but college-level decision is negative, candidate may appeal decision to provost and university committee.  
Post-tenure review: faculty member may appeal recommendation for severe sanction (including dismissal for cause) to a formal hearing panel and to Board of Visitors, as specified in section 2.11.3 of Faculty Handbook. |
### Summary of Tenure and Post-Tenure Review Statistics

#### Total Tenure Reviews (during 2002-03 academic year):
- Awarded Tenure: 37
- Denied Tenure: 6
- Appeals: 4
- Successful Appeals: 3

#### Total Post-Tenure Reviews (from 1998-99 through 2002-03 academic years):
- 20

#### Results:
- No sanctions:
- Phased retirement:
- Mandatory teacher training:
- Workload/assignment changes:
- Ineligibility for travel funding or professional development leave:
- Salary reduction or ineligibility for increase:
- Demotion in rank:
- Suspension:
- Dismissal/Termination: 2
- Other (Still pending): 1

#### Tenure Status of Full-Time Faculty (during 2002-03 academic year):

<table>
<thead>
<tr>
<th>College/School</th>
<th>Tenured</th>
<th>Tenure-Track</th>
<th>Neither Tenured</th>
<th>Nor Tenure-Track</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture and Life Sciences</td>
<td>167</td>
<td>58</td>
<td>106</td>
<td>106</td>
<td>331</td>
</tr>
<tr>
<td>Architecture and Urban Studies</td>
<td>70</td>
<td>22</td>
<td>33</td>
<td>33</td>
<td>125</td>
</tr>
<tr>
<td>Business (Pamplin)</td>
<td>85</td>
<td>24</td>
<td>11</td>
<td>11</td>
<td>120</td>
</tr>
<tr>
<td>Engineering</td>
<td>210</td>
<td>71</td>
<td>108</td>
<td>108</td>
<td>389</td>
</tr>
<tr>
<td>Liberal Arts and Human Sciences</td>
<td>220</td>
<td>64</td>
<td>114</td>
<td>114</td>
<td>398</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>42</td>
<td>14</td>
<td>38</td>
<td>38</td>
<td>94</td>
</tr>
<tr>
<td>Science</td>
<td>171</td>
<td>30</td>
<td>97</td>
<td>97</td>
<td>298</td>
</tr>
<tr>
<td>Veterinary Medicine</td>
<td>58</td>
<td>16</td>
<td>13</td>
<td>13</td>
<td>87</td>
</tr>
</tbody>
</table>

#### Non-Tenure-Track, Full-Time Faculty Categorized (during 2002-03 academic year):
- Visiting: 28
- Teaching: 183
- Research: 438
- Clinical
- In-Residence Faculty
- Other*: 749
  *Includes administrative and professional faculty such as extension agents, coaches, counselors, and librarians

#### Fall 2003 Enrollments (Headcounts)
- Number of undergraduate students: 21,348
- Number of graduate or first professional students: 6,407
- Number of graduate teaching assistants: 936
Additional Notes from Interview During Site Visit

- **Are there policies or processes related to the implementation of tenure at Virginia Tech that are unique to this institution?**

  Not really. Virginia Tech cannot afford to be out of line with national norms, because they need to recruit faculty.

  Virginia Tech’s post-tenure review policy was adopted by their Board of Visitors following the directive from the General Assembly included in the Appropriation Act. They adopted the ODU process of using post-tenure review when triggered by unsatisfactory annual reviews.

  Every department writes its own minimum standards document for faculty explaining satisfactory performance in teaching, research, and service. Faculty committees in five different departments developed draft documents as part of a pilot project. These documents were then shared with the remaining departments as models. All documents were required to protect the faculty member’s right to academic freedom. The university approved the departmental standards documents once they were found to be acceptable.

- **When looking at the percentages of full time faculty who were tenured and on tenure-track in 1993, 1997 and 2001 (from National Center for Education Statistics IPEDS data), there was some fluctuation across these years. What accounts for this fluctuation, other than retirement and replacement?**

  Prior to 1998, Virginia Tech reported only “instructional” faculty as part of the faculty count for the IPEDS report. This reporting practice left out a significant number of teaching and research faculty with heavier assignments in research and public service, funded as part of the land grant mission. Inclusion of these faculty members (particular in research) resulted in a larger denominator and the ratio of tenured faculty to total faculty went down. Also, Virginia Tech lost more than 100 tenured faculty members to early retirement as part of the recent budget reductions, and additional faculty to other institutions because of lack of money for adequate pay raises. (Virginia Tech uses endowments to supplement salaries of 115 faculty members).

  Sponsored research funding is only available in large amounts in some colleges. Business has had little or no sponsored research funding. Science, Engineering, and Agriculture get sponsored research funding and have more fixed-term contract staff.

- **Under what circumstances are full-time faculty hired for non-tenure-track positions?**

  When they need someone to teach only or do research only. Instructors may teach four courses per semester instead of one or two. Instructors are often used to teach foreign languages, English composition, and math courses.

  Somebody may be on leave, and Virginia Tech will bring in a visiting faculty member to fill the position in the short-term.

- **Are faculty allowed to choose non-tenure-track employment? Approximately what percentage of candidates desire non-tenure-track full-time positions?**

  No. They have had one instance of a faculty member wanting out of a tenure position.
• What are the indirect outcomes of having a post-tenure review policy in place?

Eighty percent of the cases of poor performance resign upon notification of “unsatisfactory performance” that would lead to post-tenure review.

• Were there items in our survey that need additional comment?

Virginia Tech originally reported 40 cases undergoing tenure review in which tenure was awarded. This number includes the three cases in which tenure was initially denied but was successfully appealed. In order to avoid counting the three successful appeals twice, and to maintain consistency with how the other institutions reported their numbers, JLARC staff reported 37 cases that were awarded tenure, with the three cases that were successfully appealed being counted in the “denied tenure” category (although that decision was later reversed in those three cases).

• Have there been any complaints from faculty regarding how much time and effort is taken up by the tenure review process or the post-tenure review process?

For tenure review, the process is burdensome, but faculty expect it. This is part of university culture. Faculty would be upset if they did not go through the full process.

• Overall, how does Virginia Tech ensure that tenured faculty continue to be productive?

Every faculty member has an annual evaluation, with every department specifying minimum standards of performance. Raises in salary are tied to the annual evaluations. Last year, about two dozen faculty members got no raise in salary because of poor performance, which sent them a clear signal.

There is the incentive to reach full professor, and the process takes eight to ten years on average after tenure is attained. Faculty productivity is tied to the institution’s performance measures, such as the number of publications. Virginia Tech also uses its faculty performance to measure the national competitiveness of the university.

The tenure process itself tends to weed out those who would be unproductive, so that those who make it tend to continue to be productive after tenure is awarded. Very few faculty who stay through the tenure review process get turned down for tenure, because those who would not be awarded tenure are weeded out in the six years prior to the tenure review decision. Some are counseled to leave, some are terminated. Tenure-track faculty are subject to two-year and four-year reviews to let them know of their progress toward tenure.

Peer pressure is also a very good motivator. If a faculty member is not performing up to standards, they are made aware of it. Everybody is having to do more with less, so if anyone is not carrying his or her load, it is noticed.
JLARC Staff

\textbf{Director:} Philip A. Leone

\textbf{Deputy Director:} Glen S. Tittermary

\textbf{Division Chiefs:} Harold E. Greer, III

Robert B. Rotz

\textbf{Section Managers:}

Patricia S. Bishop, Fiscal & Administrative Services

John W. Long, Publications & Graphics

\textbf{Project Team Leaders:}

Aris W. Bearse

Ashley S. Colvin

Linda B. Ford

\textbf{Project Team Staff:}

Janice G. Baab

Justin C. Brown

Wendy N. Brown

Eileen T. Fleck

Michelle Hébert-Giffen

Ellen M. Jackson

Brad B. Marsh

\textbf{Administrative and Research Support Staff:}

Joan M. Irby

Betsy M. Jackson

Paula C. Lambert

\textbullet\ Indicates JLARC staff with primary assignment to this project
Recent JLARC Reports

Review of the Performance and Management of the Virginia Department of Health, January 2000
Virginia’s Medicaid Reimbursement to Nursing Facilities, January 2000
Final Report: Review of the Virginia Housing Development Authority, August 2000
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Adequacy and Management of VDOT’s Highway Maintenance Program, December 2001
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Review of State Spending: June 2002 Update
Special Report: Tax Compliance (October 2002)
Special Report: The Secretarial System (October 2002)
Special Report: State Business Incentive Grant Programs (November 2002)
Special Report: Medical Supplies and Pharmaceuticals (December 2002)
VRS Semi-Annual Investment Report No. 19 (December 2002)
The Future of the Chesapeake Bay Bridge-Tunnel, January 2003
Review of Information Technology Systems Development, January 2003
Review of the Virginia Birth-Related Neurological Injury Compensation Program, January 2003
Review of Workforce Training in Virginia, January 2003
Review of the Charitable Gaming Commission, January 2003
Implementation of the Chesapeake Bay Preservation Act, January 2003
Special Report: State Spending on Regional Health Planning Agencies (June 2003)
VRS Semi-Annual Investment Report No. 20 (July 2003)
2003 Report to the General Assembly (September 2003)
Review of State Spending: December 2003 Update
Review of Virginia’s Activity in Maximizing Federal Grant Funding (December 2003)
Semi-Annual VRS Investment Report No. 21 (December 2003)
Acclimation of Virginia’s Foreign-Born Population (January 2004)
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Semi-Annual VRS Investment Report No. 22 (July 2004)

JLARC Home Page: http://jlarc.state.va.us
Post-Tenure Review Policy
University of Virginia School of Law

A review of all Law School faculty members will be conducted annually, although more thorough reviews will take place every two or three years as set out below. The criteria on which these evaluations will be based include teaching, research, and other service to the community, the nation, and the University. Annual reviews of untenured faculty, tenure-track and otherwise, have been developed and addressed previously. This policy deals with reviews of tenured faculty members.

The central component of evaluation of tenured faculty will continue to be the Dean's annual review. Among other things, the Dean will consider (1) written student evaluations of each faculty member's classes; (2) information about service provided through each faculty member's required annual report of activities; (3) scholarship and other evidence of research produced by each faculty member. Inasmuch as the Dean will almost surely be unable to review all the work produced by all members of the faculty, the expectation is that the Dean will sample this work. The Dean will also consider information from other sources as it may become available as well as information about each faculty member's contributions to the Law School.

On (what will normally be) a biannual basis, the Dean will be assisted in these reviews by a committee of law school faculty appointed by the Dean. This Chairs Advisory Committee has met for some years now to advise the Dean on the award of Endowed Chairs, Research Chairs, and Teaching Chairs. The advisory committee's role will now be increased somewhat in order to improve and broaden the scope of post-tenure review. The committee will familiarize itself with the recent scholarship of all post-tenure faculty members. It may be asked to explore in some depth the work that the Dean has not been able to review or evaluate personally. It will also familiarize itself with evaluations of the teaching performance of post-tenure faculty. It may be useful to rename this Chairs Advisory Committee, the Teaching and Research Advisory Committee.

The Dean will use these reviews in formulating salary recommendations and in developing recommendations for individual faculty members. Specifically, it is anticipated that these reviews

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1 Most faculty members distribute course evaluation forms, although such distribution has been voluntary. The post-tenure review process anticipates that unless special circumstances intervene, all faculty will invite evaluations in all courses. If a year goes by in which for some reason evaluation forms have not been received, the Dean's office may send questionnaires to a selected or random sample of students in order to provide the necessary feedback.

2 Although this is framed as a biannual procedure with one committee, the Dean may choose to divide the faculty in half and to ask a committee to meet each year in order to review half the faculty in each year. From the perspective of any given faculty member, there is still an annual review by the Dean and a biannual committee review. From the perspective of the Dean and the committee, however, there would be less work to do but at more frequent intervals.
will lead to the recommendation of a given number of faculty for teaching chairs and research chairs. A faculty member who has been awarded one of these chairs normally occupies it for a period of three years. There are currently twenty such chairs and forty-eight tenured faculty members. Faculty members who have just completed a term as a holder of a research or teaching chair are not normally reappointed to one of these chairs but they are of course eligible for such a chair in subsequent cycles. The advisory committee will also assist the Dean in reviewing the performance of tenured faculty who may be ineligible for (or at least unable to receive the financial emoluments, or in some cases the teaching load reductions, associated with) these chairs because they enjoy other sources of funding or make other plans (such as teaching or grant-related activities) for the summer.

If an eligible faculty member does not earn a research or teaching chair over three review cycles, the Dean will pay special attention to that faculty member's plans and performance. Typically, the Dean will ask the advisory committee to read that faculty member's work with special care and with an eye toward formulating suggestions regarding future work. Similarly, the Dean may ask the committee to visit that faculty member's classes and to help develop suggestions for improvement. The Dean will then meet with the faculty member and discuss performance, institutional needs and expectations, and concrete plans for improvement. The next annual review of that faculty member will then follow up on these plans. While it is anticipated that such a focused review will generate constructive introspection and improvement, it is understood that a failure by the faculty member to take constructive steps will have effects on salary. If a subsequent annual review reveals a persistent problem in the opinion of the Dean (and the Advisory Committee, if the Dean seeks its counsel at this point), then the substance of the criticism shall be made available in writing to the candidate. And, under University guidelines, a serious pattern of failure to perform as one's position requires can—after full review and consultation with the Provost—lead to other sanctions, including suspension.

The Dean may also, from time to time, seek an outside consultant who will aid the Dean in considering the scholarly and teaching contributions of faculty members. Such an outside consultant will be especially appropriate where a faculty member faces sanctions for failure to perform as expected, and where that faculty member objects to the expectation or takes issue with the Dean and the advisory committee's evaluations. An outside consultant would likely be asked to sample the work of an array of faculty members in order to provide some feedback to the Dean on the horizontal equity of the post-tenure review process.

Tenured faculty members who hold teaching or research chairs, or who have been awarded such chairs in the immediately-preceding review cycles, will, of course, continue to file annual reports with the Dean, who will also review student evaluations and other fresh evidence of teaching, research, and service. The Dean may ask such a faculty member (as is the case with any faculty member) to permit colleagues or an outside consultant to attend classes in order to provide feedback about teaching performance or about the faculty evaluation process in the Law School as a whole.

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³A faculty member may hold this kind of *temporary* chair concurrently with a permanent endowed chair.
Summary

1. Annual faculty reports, published work, and teaching evaluations are the basis of annual reviews by the Dean of the Law School.

2. An expanded role for the Teaching and Research Advisory Committee (previously known as the Chairs Advisory Committee) which meets every two years (approximately) and reviews scholarship and teaching as directed by Dean.4

3. Formulating constructive suggestions for faculty who do not earn research or teaching chairs over several cycles of consideration.

4. Persistent problems to be addressed by the Dean in writing.

5. Possibility of occasional, outside consultant with respect to both teaching and research.

March 1996

4This committee might become a more permanent fixture, asked to review a portion of the tenured faculty each year. See note 2.
Faculty Annual Review and Post-Tenure Review

I. ANNUAL REVIEW

1. An annual performance review of all faculty members is conducted by the Dean of Arts & Sciences and the department Chair as part of the salary-setting process. This review includes student evaluations of each course taught, supplemented in appropriate cases by teaching portfolios, peer attendance of classes, or other measures of teaching performance. As part of this review, each faculty member must submit an annual report in a prescribed format that summarizes teaching, research, service, and outside consulting activities for the reporting period as well as other information deemed relevant by the Provost, Dean, or department Chair.

2. Negative and positive findings by the Chair should be communicated to the faculty member. Written notification of deficiencies will normally be sent to the faculty member and the Dean, and a copy kept in the Department.

3. The annual review will consider, as appropriate, issues of long-term research, instructional programs, or service which cannot be adequately represented on a strictly annual basis.

II. POST-TENURE REVIEW

1. Remediation Phase:

1. If a faculty member fails to meet reasonable expectations for professional performance, normally over a period of at least two years, the Dean may require the faculty member to undergo a formal Remediation Period which can range from one to three years.

2. At the beginning of the Remediation Period, the Dean, after consultation with the Chair, the faculty member, and others as appropriate, shall set out written performance expectations.

3. The faculty member will promptly develop a plan for meeting those expectations, and submit it for approval to the Dean and the Chair. The faculty member will normally submit to the Chair an annual report outlining progress toward meeting performance expectations. The Dean may also request evaluation by the Chair at any other time as appropriate. The faculty member's failure to act in good faith, including but not limited to failure by the faculty member to submit the progress report on time, to submit other required documentation, such as teaching evaluations, or to engage in scheduled remediation activities, such as visits to the Teaching Resource Center, can effectively cut short the Remediation phase and initiate the Peer Review phase.
4. If the final goals of remediation are met at any time prior to the end of the designated Remediation Period, the Dean may, in consultation with the Chair and others as appropriate, conclude the Remediation Period and the Post-Tenure Review process itself.

2. Peer Review Phase

1. If the Dean, in consultation with the Chair or others as appropriate, determines that the faculty member has not complied with the written remediation expectations, the Dean will appoint an Advisory Review Committee. It shall consist of at least three faculty members, at least one of whom must be a faculty member from the Department and may also include some or all of the following: In addition the Dean may consider appointing a member of the committee (other than the faculty member him/herself) proposed by the faculty member under review.

   1. an additional faculty member chosen from within the Department by the Chair
   2. non-departmental senior faculty member (s)
   3. person (s) from outside the University

2. The Committee will be appointed in September or January and asked to report within six months unless an extension is granted by the Dean.

3. The Committee's charge will be to report on its assessment of the professional performance of the faculty member and to make recommendations as appropriate.

4. The Advisory Review Committee may take such actions as it deems necessary to carry out its charge, including but not limited to:

   1. interviewing the faculty member, the Chair, department members and others, as appropriate
   2. assembling and judging documentation resembling a dossier for promotion to Full Professor, normally including letters from outside reviewers and written exchanges between the faculty member and the Chair and/or the Dean.
   3. The faculty member shall have the right to add other information and documentation in a timely manner.

3. Dean's Recommendation Phase

   Upon receiving and reviewing the Committee's report and recommendation, the Dean may:

   1. take no action and conclude the review.
   2. impose corrective sanctions having to do with faculty rank, compensation, assignment of responsibilities, or other conditions of employment.
   3. recommend to the Provost that the faculty member be suspended or terminated from employment at the University. Such sanctions will be in accord with University policy on Annual Faculty Performance Reviews as stated in the Faculty Handbook: http://minerva.acc.virginia.edu/~provost/reviews.htm
4. other such actions as the Dean may deem appropriate.

4. Grievance or appeal
   Nothing in this policy shall abridge the faculty member's right to appeal or file a grievance as provided by the University grievance policy, http://minerva.acc.virginia.edu/~Provost/handbook.htm
This implementation memo provides guidelines for deans and chairs for the Post-Tenure Review Increment faculty salary initiative. This is one among a portfolio of tools we use to address faculty salary issues, while remaining mindful of our overall fiscal constraints.

This initiative provides funds, if warranted by market analysis in tandem with post-tenure review of performance, for a salary adjustment five (5) years after promotion to full professor. Costs of the 101-fund share of the salary adjustment are equally borne by central campus and schools/colleges, up to a limit of a 7% (up to 3.5% from central campus) base adjustment.

Key elements to guide implementation by departments and deans follow. Please note that central campus (APO) will send deans lists of eligible professors, and will also note if they have already received a market adjustment within the last five years.

1. Eligibility for consideration.

   (a) Tenured faculty five years after promotion to full professor rank are eligible for consideration. Faculty promoted to full professor in 2005 (i.e., recommended for promotion in AY 2004-05) should be considered in 2009-10 for possible adjustments to take effect on or after 1 July 2010.

   (b) Professors who already received a market-based adjustment (and/or high-demand adjustment) on or after 1 July 2005 are normally not eligible.

   (c) Full professors appointed to UW-Madison at the full professor rank in 2005 are eligible for consideration in 2009-10, if their immediately preceding academic appointment had been at the associate professor rank. Central campus (APO) will assist deans and departments by sending a list of faculty promoted to full professor in 2005, and will specify if they already received a market adjustment (and/or high-demand adjustment) within the last five years. Departments are responsible for identifying any full professors eligible under 1 (c) above.

2. Relationship to post-tenure review.

   (a) The increments do not constitute across-the-board entitlements. After determining which full professors are eligible for consideration, the first step is to evaluate performance in the
domains of scholarship, teaching, and service (including such relevant factors as synergies between these domains, and campus impact beyond the tenure home unit), through the post-tenure review process. Departments should evaluate whether the full professor exceeded, met, or did not meet expectations of performance during the last five years, based on departmental criteria (per Faculty Legislation II-106).

(b) Departments should set the evaluation of the last five years within the wider context of cumulative career performance. If relevant, explain discrepancies between cumulative career performance and five-year performance. For example, the professor may have met or exceeded expectations of cumulative career performance, but recently undertook a new scholarly direction or experiment that has not yet borne fruit.

(c) Consideration of full professors for a post-tenure increment re-sets the post-tenure review clock for future reviews. Professors considered in AY 2009-2010 for a possible post-tenure increment would not undergo post-tenure review until AY 2014-2015.


After conducting the post-tenure review, the next step is analysis of market concerns. Address (a) academic submarket data, and (b) additional market considerations, if relevant in the individual case. We realize that base adjustments recommended under this program, while significant, may fall short of adjustments one might wish to consider if we lived in a world of more abundant resources.

(a) Academic submarket comparisons.
This analysis compares faculty salaries with adjusted academic submarket mean salaries (average salaries) of our official peer institutions. The adjustment takes account of stages in the faculty career cycle. Note that the initial comparison with an adjusted mean salary does not entitle the faculty member to a specific salary figure or post-promotion salary increment. It serves to denote whether there is a prima facie case for market concern and for a consideration for a post-promotion adjustment that also takes into account other legitimate factors, among them quality of performance, submarket niches of high demand, equity concerns including gender equity, early stage in the full professor career cycle, individual factors that may bear on market demand, and impacts on resource allocation. Here are the key steps.

• Unless instructed by the school/college dean to follow an alternative reasonable methodology, departments should rely on departmental comparisons of average salaries for full professors at UW-Madison’s official peer institutions. These are available at the web site of Academic Planning and Analysis. Departments and deans should communicate directly about acceptable methodology. The password to access the APA data will be supplied to deans and chairs separately. The APA data on mean salaries (or the alternative method suggested by school/college dean) will provide the gross baseline mean salary for purposes of market comparison.

• Multiply the gross baseline mean by 90%, to adjust for UW-Madison’s faster promotion-to-full rate, and for short time in rank compared to full professor populations as a whole. The new figure is the net baseline mean salary for purposes of market comparison.

• Compute whether there is a prima facie case for market concern. If the salary figure of the full professor is 95% or more than the net baseline, there is normally not a prima facie case. Conversely, if the salary is less than 95% of the net baseline, there is a prima facie case for considering a post-promotion increment. (Recall that as noted above, a prima facie case for consideration does not by itself suffice to justify a post-promotion increment or a specific target salary.) Additional individual considerations, discussed under (b) below, may also influence, the assessment of market concern.

• Indicate the urgency of the market concern in light of performance. The market concern may be considered very urgent if the professor has exceeded performance expectations,
urgent if the professor has met performance expectations, and not urgent—and therefore ineligible for a central campus contribution—if the professor did not meet performance expectations. Overall career performance, as well as activity during the last five years, may influence the assessment of urgency.

(b) Additional market considerations, if relevant in the individual case. Such information may include, for example, efforts by competing universities to lure the professor, or exceptional market pressure for a high-demand niche within a larger field or discipline, or an individual star reputation so powerful that the professor has become a “market-of-one.” If such additional market considerations modify the assessment of market concern and its urgency, indicate how.

4. Additional factors to consider.

Before concluding whether a base adjustment is warranted and in what amount, consider the following factors.

(a) Address the possible impact of the recommended salary rate on gender equity or other equity concerns within the unit. (b) Consider the parameters of resource allocation for this initiative.

- Central campus and colleges/schools will share equally the cost of a salary rate increase up to 7% (i.e., up to 3.5% from central campus). Costs beyond 7% are fully borne at the college/school/department level. If departments wish to recommend an increase beyond 7% in specific cases, they are strongly advised to discuss suitability and feasibility—including payment of costs—with their academic deans or associate deans.

- The minimum base adjustment to qualify for a central campus contribution is 5% (i.e., 2.5% from central campus).

- When funding splits between 101- and non-101 funds underwrite a faculty salary, the portion of the base adjustment borne equally between central campus and deans refers to the 101-share of the salary. In the case of cluster hires, the recommended base adjustment is handled as a 101-share of salary.

(c) The usual campus shared governance and reporting processes apply, in recommendations by departments to deans, and by deans to Academic Personnel Office. Departments should follow their normal procedures, consult appropriately with other units in cases of shared appointments, and consult appropriately with academic deans as they formulate base adjustment recommendations. Dean approval is required before a base adjustment recommendation is considered at the central campus level. For recommended adjustments, APO will need a brief summary report from deans on the results of the performance review, on the presence of market concern and its urgency in light of performance; and if applicable, on the expected distribution between 101- and non-101 share of the base adjustments. See point 5 below.

5. Base adjustment recommendations: calendar and process. Due date for deans to Academic Personnel Office: 3 May 2010. Due date for departments to deans: to be set by deans (suggested date: 16 April).

(a) If a base adjustment is justified by analysis of market in tandem with performance (steps 2-3 above), while taking into account of equity and resource allocation factors (step 4), departments should indicate the target salary rate, and the base adjustment recommendation. Note the 101-funded share of the base adjustment, and the dollar cost division between central campus level and school/college/department level.
(b) Deans should briefly summarize their recommendations and rationale on the Post-Tenure Review Increment form, to be sent by deans to Academic Personnel Office no later than Monday, 3 May.

(c) Once the recommendations are received at APO, central campus will review them and confirm or modify the requests and the central campus contribution to base adjustments. The process will take about a month.

6. In unusual cases, equity considerations may play a co-equal or primary role in a post-tenure review increment recommendation. Departments should consult with deans about such cases, and should include in their analysis the assessments of performance and market indicated in steps 2-3 above.

7. Questions. Chairs who have questions should consult their academic deans or associate deans. Deans who cannot answer questions should confer with Vice Provost Steve Stern, at 262-5246, or sjstern@wisc.edu. Questions about deadlines and delivery of data to APO may be directed to Catharine DeRubeis, 262-7102, or cderubeis@ohr.wisc.edu.
Post Tenure Review

Policies and Requirements

In 1992, the Board of Regents adopted guidelines requiring review of all tenured faculty at least once every five years (see Board of Regents Policy Document 20-9). "The purpose of the plan is to ensure continuing growth and development in faculty professional skills, encourage faculty to explore new ways to promote academic excellence and to identify areas for improvement and provide solutions for problem areas." Thus, the College of Agricultural and Life Sciences requires academic departments to review the work of all tenured faculty members once every five years in accordance with Faculty Document 1001b. The purpose of this review is to help faculty members grow and develop.

The UW-Madison faculty developed criteria and procedures requiring all department executive committees to establish written criteria procedures, within specific guidelines. See FPP Faculty Legislation II-106 or a summary of the requirements. The faculty policy emphasizes that the review should be appropriately linked to the merit process.

The five-year review may be incorporated into the annual merit review process or combined with promotion or other reviews, such as nominations for chaired professorships, major teaching awards, etc. Where reviews are combined, the department executive committee may require supplementary documentation to ensure that the alternate review meets all the criteria required for the post tenure review.

In their criteria and procedures for post-tenure review, departments may decide not to conduct post-tenure reviews for department chairs and faculty members with substantial administrative appointments. However, faculty members should be scheduled into the five-year review cycle after returning to normal faculty responsibilities. If a department decides to conduct reviews of these faculty members during the period of chairmanship or administrative responsibilities, the review should take into account the impact of these other responsibilities on the normal faculty responsibilities.

CALS Post-Tenure Review Policy

The post-tenure review should be based on a current curriculum vita, annual activity reports, teaching evaluations and other evidence of the faculty member's accomplishments and contributions that the department or the faculty member deems appropriate.

The executive committee of each department is responsible for reviewing the faculty members designated to be reviewed in a given year.¹ The work of each designee will be reviewed in detail
by at least two members of the committee. These reviewers will draft a brief report describing and evaluating the performance of the designee. The Post Tenure Responsibilities\textsuperscript{2} of CALS faculty worksheet provides a list of responsibilities that may serve as a guideline for the review.

The report will include professional accomplishments and recommendations for growth and development. If deficiencies are noted, the report should include specific recommendations on ways of improving performance. After acceptance of the report by the full committee, the report will be given to the designee for comment. Please note that acceptance does not mean approval; it simply means that the committee accepts the report as finished and complete. The comments of the designee will be considered by the committee.

As identified in section IIIB of \textit{faculty document 1001b}, for a faculty member with appointments in more than one department, the department chairs of the affected departments shall agree on procedures for conduct of the review.

\textbf{Submission Requirements}

The following should be forwarded to the senior associate dean and the appropriate program assistant of the College of Agricultural and Life Sciences:

1. Cover letter, indicating acceptance of the report by the full executive committee
2. Final draft of the report
3. Comments of the designee
4. CV of the designee

\textbf{Accountability Requirements}

1. Written criteria and procedures for each department must be filed with the CALS Dean’s Office.
2. Departments must maintain records of reviews completed, including the names of the reviewers conducting the review.

\textbf{Confidentiality}

The post-tenure review is subject to the same confidentiality as other evaluations or reviews of faculty performance, subject to the Wisconsin Records of Open Law. Please contact the senior associate dean with questions.

\textsuperscript{1} Departments should ensure that all tenured faculty members are reviewed every five years after promotion to associate professor. Faculty members being promoted from associate to full professor may be included in the group being reviewed and the promotion process may be substituted for this review process.
\textsuperscript{2} The nature and relative weighting of responsibilities for individual faculty vary according to disciplinary area, career stage and relative role played in fulfilling the mission of the employing unit, college and university.

CALS 11/15/2012
### CALS Post-Tenure Responsibilities

#### Instruction:

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<td><strong>Timetable-based instruction</strong></td>
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<td>- Undergraduate and graduate formal courses</td>
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<td></td>
<td>- Undergraduate and independent study and research</td>
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<td>- Undergraduate coordinative internship</td>
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<td>- Graduate independent study and research</td>
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<td>Undergraduate advising</td>
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<td>Postdoctoral advising and research direction</td>
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<td>Undergraduate and graduate recruitment and retention</td>
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<td>Professional seminar and symposia organization and implementation</td>
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<td>Writing professional textbooks and lab manuals</td>
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<td>Instruction administration</td>
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<td>Serving on curriculum and teaching advisory committees</td>
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<td><strong>Instruction outreach and public service</strong></td>
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<td>- Assisting teachers and education consultants in developing K-12 education aids in CALS areas of expertise such as biology and broad based environmental literacy</td>
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<td>- Sharing disciplinary and interdisciplinary knowledge with the extended community (K-senior citizens) and informing them about educational opportunities in CALS</td>
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<td>- Public presentations in disciplinary areas of expertise</td>
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<td>- Implementing technology transfer via non-classroom instructional media</td>
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#### Research:

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<td><strong>Discovery, integration and application laboratory and field research:</strong></td>
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<td>Obtaining research grants</td>
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<td>Publishing peer-reviewed research papers</td>
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<td>Filing and developing patents</td>
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<td>Research administration</td>
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<td>Serving on research advisory committees</td>
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### Officers in professional societies
- Reviewing and editing journal articles
- Reviewing agency grant proposals

### Research, outreach and public service
- Writing for trade journals and the popular press
- Public and private consulting in disciplinary area of expertise
- Implementing research database access
- Participating as a technical expert in the legislative process

### Extension:

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<td><strong>Clientele education and service</strong></td>
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<td>- Public and private consulting and presentations in disciplinary areas of expertise</td>
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<td>- Preparing written and video material to support extension education programs</td>
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<td>- Conducting field research-based demonstrations</td>
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- Extension administration
- Serving on extension advisory committees
### Procedure Number:
**ISyE P 19.1**

### Page:
1 of 4

### Subject:
Post-Tenure Review

### Date Issued:
December 12, 2008

### Supersedes:
None

### Written by:
ISyE Chair

### Approved by:
ISyE Department Committee

### Review/Approved Date:
December 12, 2008

#### 1. Purpose:

The purpose of this procedure is to define the goals and steps that the Industrial and Systems Engineering (ISyE) Department follows in undertaking a post-tenure review of departmental faculty members.

#### 2. Scope:

This procedure applies to ISyE Chair, the ISyE Executive Committee, possibly outside department chairs, and ISyE Department Office Staff who are responsible for and/or involved in conducting, documenting, and filing records of a post-tenure review.

In accordance with UW–Madison Faculty Legislation II-106, each tenured faculty member must be reviewed every five years after promotion to tenure or hire with tenure unless delayed because the faculty member is on leave or because his or her promotion to Full Professor is anticipated for the following year.

**NOTE 1:** The purpose of the post-tenure review of tenured faculty members is to assess periodically each faculty member’s activities and performance, in accordance with the mission of the department, college, and institution in such a way as to determine the extent to which the faculty member is meeting his or her obligations to the University and the State of Wisconsin, and to recognize the faculty member’s contributions, and to encourage the enrichment of faculty members’ skills.

#### 3. Related Procedures and Other Documentation:

<table>
<thead>
<tr>
<th>Procedure No.</th>
<th>Description of Procedure</th>
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<tbody>
<tr>
<td>Faculty Salary Equity Review</td>
<td><a href="http://www.provost.wisc.edu/salaryequitypolicy.html">http://www.provost.wisc.edu/salaryequitypolicy.html</a></td>
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4. **Procedure:**

**Post-Tenure Review Committee**

4.1 At the beginning of each fall semester, the ISyE Department Chair works in consultation with each faculty member scheduled for her or his post-tenure review that academic year and establishes the membership of the review committee. See Notes 2 and 3.

**NOTE 2:** The review committee typically consists of three faculty members from the ISyE Executive Committee. Where possible, the chair of the review committee is a Full Professor with her or his main tenure home in ISyE, and who has already had an ISyE post-tenure review. Also, where possible, post-tenure reviews of Full Professors in ISyE are done only by other Full Professors. In the case of a faculty member with salaried appointments (not affiliations) in more than one department, the department chairs of the affected departments shall agree on procedures for the conduct of the review, and the possible addition of a tenured faculty member from the outside department to serve on the review committee.

**NOTE 3:** No individual shall serve as a reviewer if the faculty member under review formally objects to his or her service in that capacity. Such formal objections should be kept confidential.

**Criteria and Review Materials**

4.2 Approximately three months prior to the time the committee report is scheduled to be presented to the ISyE Executive Committee (which is typically at the May Executive Committee meeting), the chair of the review committee shall request the faculty member under review to provide the following information to the review committee within 2 to 3 weeks from the date of this request:

- Activity reports for the last five years, including teaching evaluations or summaries of evaluations.
- Workload assignment summary for the last five years (unless already included in the annual activity reports).
- A self assessment of the last five years and brief summary of career plans for the future.
- A current CV.
- Other materials providing evidence of the faculty member’s accomplishments and contributions that the department or the faculty member feel are relevant to the review. See Notes 4 and 5.

**NOTE 4:** Letters from outside the University will not ordinarily be a part of the review process. The faculty member under review, however, may submit appropriate letters to the review committee if she or he so chooses.
Post-Tenure Review Process

4.3 After receiving the requested information from the faculty member under review, the chair of the review committee convenes the committee to examine materials to the degree needed to accomplish the purposes of this review (See Note 1), determine the process of evaluation to be followed, and establish a timeline to prepare a draft of the written report.

NOTE 6: The Executive Committee of the ISyE Department shall ensure that the criteria and processes governing faculty review do not infringe on the accepted standards of academic freedom of faculty, including the freedom to pursue novel, unpopular, or unfashionable lines of inquiry. Nothing in the criteria or application of these policies shall allow the review to be prejudiced by factors proscribed by applicable state or federal law, such as race, religion, sex, sexual orientation, ethnicity, age, and handicap.

4.4 The members of the review committee work individually and as a team to evaluate the qualitative and quantitative evidence of the faculty member's performance over the period since the last post-tenure review or promotion to tenure, and prepare a complete draft of the written report encompassing the areas of the review process followed, teaching, research and scholarship, service, and conclusions and recommendations.

NOTE 7: In making a fair and informed judgment, the review committee may also wish to consult with individuals who have knowledge of the faculty member's work. In such cases, however, the faculty member under review shall be informed of and in agreement with the committee's decision to consult these individuals who are outside the review committee.

4.5 At least three weeks prior to the time the final committee report is scheduled to be presented to the ISyE Executive Committee, the chair of the review committee provides the faculty member under review with a copy of the written draft report for her or his review and comments, and offers the faculty member an opportunity to meet with the review committee for a discussion about her or his contributions to the profession, the department and the university, and any possible revisions to the report.

4.6 The faculty member reviews the report for accuracy and completeness, determines if she or he wants/needs to meet with the review committee, and decides if she or he wishes to prepare a written response to the written draft report.
4.7 The chair of the review committee prepares a final draft report (revised as appropriate) and gives it (and any written responses from the faculty member) to the ISyE Chair and ISyE Department Administrator.

4.8 The ISyE Department Administrator prepares and sends confidential copies of the report (and any attachments) to the members of the ISyE Executive Committee, and ensures that the motion to accept and file the report is placed on the agenda of the appropriate ISyE Executive Committee meeting.

4.9 The ISyE Executive Committee addresses the motion to accept and file the report. In so doing, the Executive Committee may recommend changes to the report, or actions in addition to the recommendations given in the report.

4.10 The ISyE Chair forwards to the appropriate individuals or bodies any recommendations for action in response to the results of the review.

Records of the Review Process

4.11 Once the final report is approved by the ISyE Executive Committee, the ISyE Department Administrator places a copy of the final report (revised as appropriate) and any written response to it in the (confidential) personnel file of the faculty member for uses deemed appropriate by the departmental executive committee. The ISyE Department Administrator also preserves in the faculty member's personnel file all documents that played a substantive role in the review (other than documents such as publications that are readily accessible elsewhere), and a record of any action taken as a result of the review.

Concurrent Salary Equity Review

4.12 Concurrent with the post-tenure review the ISyE Chair shall conduct a salary equity review according to the procedures specified by the Provost’s Office.

Promotion to Full Professor

4.13 All tenured faculty members are encouraged to consider promotion to full professor within 3-5 years post-tenure.

END OF PROCEDURE
Does this mean that tenured professors can do whatever they want, even if it's controversial or unproductive?

Academic freedom does not release tenured professors from maintaining high standards.

The university already employs a committee on post-tenure review to help chart and review progress. It remains an important part of maintaining the university's overall standard of excellence.

As the AAUP notes, “college and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.”

What is shared governance and why is it important?

Shared governance, like the Wisconsin Idea, is one of the core principles of the university, contributing to the collaborative spirit espoused by our famous “sifting and winnowing” statement. It gives representation to academic staff, classified staff, faculty and students, who all take part in making significant decisions concerning the operation of the university.

Because of this collaboration, shared governance ensures an inclusive, transparent governance process. It also brings the best ideas to the forefront, builds consensus and helps improve decision-making on campus.

Chancellor Blank is concerned that potential changes to tenure and shared governance are being recommended without consultation with or input from those that will be most affected, adding to the collective concerns of many on campus. She has stated that “Universities run best when there is broad consultation and I expect that to continue at UW-Madison.”
Open Records and Post-Tenure Review

*Wisconsin law* encourages public scrutiny of the activities of state agencies and employees. Specifically, the open records law observes "that all persons are entitled to the greatest possible information regarding the affairs of government and the official acts of those officers and employees who represent them." [Wis. Stats. 19.31]

With regard to *post-tenure review*, it is important to recognize the manner in which management of personnel records of university employees, including faculty, is influenced by the philosophy of open government. Stated simply, *personnel records are not exempt from the open records law*. There is a presumption that such records are available for review upon request, unless, on balance, the public interest served by non-disclosure can be demonstrated to outweigh the public interest in open government. *This standard is very difficult to meet.* The balancing test must be applied independently to each request to review a personnel record. In general, for public employees not involved in law enforcement activities, Wisconsin courts have favored disclosure of personnel records, even those involving disciplinary action. [Wis. Newspress v. Sheboygan Falls Sch. Dist., 199 Wis. 2d 768 (1996)]

In devising criteria and process requirements for post-tenure review, each departmental executive committee should be mindful of the underlying context in which records generated by the process may be reviewed. The potential audience for such records is not necessarily limited to the department, or to the applicable school or college, or to any other administrative organ of the university. While the faculty legislation implementing post-tenure review prescribes the nature of the records to be maintained by the reviewed faculty member's chair, and to be shared with the appropriate dean, this prescription is a university rule; it does not supplant application of the state open records law.