

TAMU Faculty Forum on Post-Tenure Review

April 29, 2016

Moderator: I'm Richard Carlson. Once upon a time I was the Speaker of this organization, a million years ago, and I have the privilege of moderating this session. I was going to open with a couple of remarks. One is whenever these rules are opened up for revision, that's an opening for improvement, so I think we should view this as an opportunity. I would point out that post tenure review is actually peer review as is the comprehensive review that might follow in some instances. It's not a termination proceeding. It's also a demonstrable accountability mechanism and I think in a way that's one of our best defenses against the tax on tenure. Specifically, to clarify a couple of points. One is there is no one year cycle, it's a three year average, and maybe that language needs to be cleaned up. A couple of other issues that have come to light are that these are peer reviews but there's nothing in the rules or procedure that says who the peers might be or how they're chosen, so I think that's an issue we might consider. Then, it's been pointed out by several people that maybe we need better flexibility than we have. I will open the floor to the people who came to participate in this process.

Commentator: I'm Eric Moreno from Industrial and Systems Engineering and I just want to mention that I think the documents are a bit not flexible and we might be missing to understand the unintended consequences of doing such a stringent review. In particular, what happens to persons that go to administration, and therefore during their service as administrators, let's say they got department head for a year? It's very difficult to sustain a research program during those years. When you come back, automatically you are doomed to have an 'Unsatisfactory' in your research component. I think that is something that is not acceptable, because maybe that person is doing a hell of a job serving his department and then it's going to be penalized after that service is over, if he decides to go back to being just a full regular professor.

Moderator: Anybody care to comment?

Respondent: I've talked to a number of people in senior administration and a number of deans, I can't get much lower- as Associate Provost- I can't get much lower than that. I think everyone recognizes that that's the standard and are willing to abide by it, and what most of us expect to do when we're done as senior administrators are, in some cases, restart their scholarly work again, and in other cases... So for example Jo Newton, Dean of Science, just finished his term this past year and he's taken on a role as Senior Professor. So he gave up tenure, so that he can just focus on teaching and whatever service he chooses to do, and has a fixed contract as a Senior Professor. I think a number of individuals are going to go do that. It's true, that that will impose a change. I think most of us that I have talked to recognize it and say that's still the way it should be, because we think tenure requires that kind of accountability, and we're willing to subject ourselves to that as well. I don't understand your comments about flexibility because I actually think that there is a lot in this document. If I heard specifics, I might understand better what the concern is because as I've worked with the committee and heard lots of things, I actually think there is a lot of flexibility in the document but it may be a little subtle. What I need to find out is whether there isn't flexibility or whether people don't understand how the flexibility is there. If I could hear specific concerns maybe we could talk about it and that'd be great.

Moderator: I guess maybe my question following up would be, do we perhaps need a section in the document that deals with people who are coming back from administrative positions? How long they

might have to come back up to speed, because that is an issue. It has come up from several quarters, mostly from the point of view from department heads, not from more senior administrators.

Respondent: At a minimum, without any changes, someone going back has three to four years at least. Because while it's true you may get an 'Unsatisfactory' in Research by your department head in your annual review, it takes three years generally until that's going to kick into something. If we're talking about the peer review, they're going to be coming back and that process would be reinitiated and they've got five to six years under that term. I think kind of like with Assistant Professors, we're evaluating them but we don't expect a lot of productivity in their first couple of years, but we expect to see them writing proposals and working on manuscripts and forward progress. I think for someone coming back it would be the same thing. If someone's showing, ok now in my second year back I've got five chapters of my book written, I would hope most department heads would see you're doing that and that's fine. Now, saying "I have five chapters of my book written" for the next five years isn't fine but you know. I'm not saying you don't want to do that or you can't do that I'm just saying I think it's kind of built into the system and it's been that way for a while. I mean, as administrators who returned from a full time position, they get a year off to do sabbatical, that's automatic for senior administrators- one year- department heads and above usually. Most of them have been able to recycle their scholarly work during that year off if they so choose, and then come back running, or choose a different path depending upon where they're at.

Commentator: I'm John August, Dean of Faculties, and you're looking at a person who went through that process. I spent 11 years as Department Head and so two things happened. I was able to keep some of my scholarship with books going during that time but I realized that when I was coming a year or two towards the end of my tenure as department head, I started to ramp up what I was doing in scholarship, but actually the department head tenure gave me a nice opportunity to reflect what I wanted to do next. What I really was doing after, in the way of scholarship, after I was department head was quite different from what I was doing when I entered being a department head. I got involved in the scholarship of pedagogy and teaching, thoroughly enjoyed that, and it was a real opportunity for me to reflect on what I wanted to do in the next phase of my career and hopefully be seen as a very productive member of my department by my colleagues, and have an opportunity to assume a leadership role in some areas, and get involved in mentoring junior faculty. Actually the transition for me was kind of refreshing.

Respondent: On the other hand, if y'all wanted to write in a rule that all administrators aren't going to be subject to post tenure review I'm not going to complain, but I don't think that's fair.

Respondent2: I think they should just be summarily removed. Why have PTR? I'm Bob Stawser, Mays Business School, and to my colleagues in Kingsville, former Interim President of A&M-Kingsville. Mike- I would raise the question, should (you mentioned that most of them would have three years) should it be a standard? I mean, to me that was one of the things that we ran into on the committee, was policies across the university weren't uniform, so the people in engineering may do one thing, the people in business may do another, and the people in vet medicine and so on may do another. So would it be good to put that expectation into the rule, specifically?

Respondent: There's so much difference in disciplines and there's so much difference in what it takes to get going again, that I'm not sure you would want to standardize that at the university level. That's why we don't standardize promotion and tenure or specific criteria at the university level because there's no

way you can do it across all departments and across all disciplines. In some fields of study, you could sit down and get a paper done in a couple of months, if you kind of have already thought out what you want to do. In other areas, I'm a hard scientist, a wet lab scientist, it's going to take me a couple of years to get my lab up and running, get a grant written, and get things working, so I would try to figure out a different way to do it. So to figure out, this is the appropriate thing at the university level is going to short-change some people or completely give an incredible amount of leeway to others. I think it is appropriate, I think it is reasonable to say each department should put in place a set of expectations for someone returning from those kinds of positions but those expectations-I see no reason why they shouldn't be different from discipline to discipline and department to department. Just like other standards are.

Moderator: I would say maybe that needs to be incorporated into the policy. The other thing that occurs to me while we're talking about this is, if you come back from an assignment at a federal agency, there is in fact an official protocol about the terms and conditions of your return and what you're obligations are the first year and so on. And what the institutions obligations are. That's the sort of thing we could either have as an umbrella document or we could have an expectation that those things will be negotiated before somebody steps into the position of department head.

Respondent: I would recommend not worrying about administrators in this document, because there are other ways to take care of that. In someone's letter, when they become department head, the dean can write "upon leaving this post you will have four years to resume your scholarship". It can be in the letter. Then it's done, it's a nonissue. So, that group of people, I wouldn't worry about. It's others that we really want to be concerned about.

Moderator: Well I wouldn't normally be concerned about it either but it has come up, it's a question that has come up several times from different places. Maybe something about that needs to be put in place somewhere where there's an expectation that is standard operating procedure when someone is appointed or invited to take one of those positions- this is one of the steps that is taken. There's something in place.

Respondent: There is an SAP on administrators returning into the faculty. We could easily put it in there if you don't want to put it in here.

Commentator: So this particular one, I understand was not part of the revision, but I guess I just didn't notice was in the previous version. There's a catch-all, in terms of, in that one line about "at the department heads discretion", and that seems to have been getting a lot of attention and it ties in with what we're also understanding is suspicion of a concern about the process in general, so while the devil is in the details, but in this case, the devil is in the process. It's not so much what is written on paper, but who your department head might be, and how that gets enacted. I'm just curious where that particular one came from, why it's in there, does it need to be in there? I think that's actually worrying people because assuming that everything else is satisfactory, it looks like someone could just pull the trigger anyway. Given what we know about academic politics with departments, department heads and so forth, I think that kind of capriciousness is worrisome at a minimum. Can you speak to that as something that either needs to be in there, why it's in there, etc.?

Respondent: I'm not sure I remember the history, it's been in there for a while.

Moderator: I do, but go ahead.

Respondent: You can speak to the history. It has always been in there that the faculty member can request and I know recent history, but I don't remember if it was five years ago or seven years ago, I know I was here and in the Senate at the time I just don't remember when that this other one was put in.

Moderator: My recollection is that that was part of the original policy and procedure.

Commentator: Do you know why?

Moderator: Yeah. I can tell you why. When we first put in post tenure review the argument we made was, first of all, that it ought to take as long to lose tenure as it takes to earn it. So it shouldn't be a simple, short process. Secondly, when a faculty member is under performing for one reason or another, there is an institutional obligation to get them back up to speed. The argument was, the sooner you can catch that, the better it is for the faculty member and probably for the institution as well. The idea was that if the department head has the option of calling for a post tenure review, that's a peer review not an administrative review, you can perhaps start that process before the problem becomes too serious. It's the same reason that we had three year periods instead of six. The whole process, from the point of view of the task force that structured the first rule was to help the faculty member, not to do harm. So that was sort of the driving philosophy. That's the reason it's in there and I suppose it doesn't have to be in there but I would remind everybody that the most the department head can do is ask for a peer review. Now the devil that's in the details and that's not covered in the current rules, and that I mentioned and that other people brought up, who are the peers and who chooses the peer review committee?

Commentator: Right.

Moderator: if this process is going to work well, people have to have confidence in the fairness of the procedure.

Respondent: I can say a couple things on it. I think you're exactly right, that was my memory of it as well. There are occasionally faculty members that are in denial about the quality of their work, and don't believe the department head- "You just don't like me, that's why you're doing this"- so some department heads want to trigger a peer review just so they can say "No, it's not just me, your peers agree". I think that's the background behind it. I will also say that in the years I've been monitoring, either as Dean of Faculties or as OMBUDS Officer before, I am unaware of it being triggered ever. Not post tenure review, I mean the one year thing. I would agree it may or may not be important, but it hasn't been used.

Commentator: Can I just ask one more question? I think that this is the same thing. I chaired this past fall what we called a professional review and the other thing that caught my attention was, and this does look like a change in this new document, was the one stool on- a three legged stool- just a negative or unsatisfactory on just one part can trigger this. The Associate Dean that was working with us actually had a problem with that in the department, that's what actually triggered this in the department. It's a convoluted story, there was other stuff going on, the person had an otherwise stellar research record and then something happened. So the teaching and service were all coming out fine and in fact he was teaching in overload, but then even because of that it was preventing issues about research. What

bothered her was that even when he would have come out satisfactory, this got triggered because of the one unsatisfactory, and that's what I'm wondering about. It sounds like, if a department says, or college, "you need an overall unsatisfactory" that that's actually going to be in conflict with this university policy. Which is saying no, it doesn't matter how you work the numbers, if in the individual evaluation, if you get an unsatisfactory in any one of these three areas over however many years, that's going to trigger this. Is that right?

Respondent: This is precisely a proposed change.

Commentator: Then what is the reason for that?

Respondent: The reason for that is a remarkable inconsistency. This was what the task force grappled with. We had members of the task force, and please correct me if I misspeak here, remarkable inconsistency with overall how the departments defined unsatisfactory, including one department that said in order to be overall unsatisfactory you must be unsatisfactory in teaching, research and service. Other ones saying you need to be unsatisfactory in two, other ones saying in any one, others are using a point system. The application of that previous one was so varied across the university and so remarkably inconsistent that it was really inequitable. I think at first glance, I decided we really needed to a little bit better define it. Then when people were grappling with what does it mean to have tenure, I think the task force, and again this is their deliberations, not mine so much, the task force really said "we believe that people need to be operating successfully in all three parts of the stool. That was really the unanimous conclusion of the task force after reviewing lots of things, having lots and lots of discussion. We met many, many, many hours.

Respondent2: I agree with what Mike said and one of the problems that we had on the task force is, what is satisfactory, what would be unsatisfactory in a particular area. We all agreed zero would certainly be unsatisfactory but originally, just pulling a figure out of the air, we said 20%, and how do you measure 20%? I think, and you guys correct me, that we finally determined that you can't define it, in terms of very specific items, but that's one of those items that you have to leave to the judgement of the individual unit and the peers in that individual unit. Who can say, did I meet the 20% threshold? I don't think it's possible.

Respondent: I would also say that I think department policies should be written to have flexibility and some of them don't. I have no problem if we have a faculty member that been here for a number of years and there's been illness in the family or whatever and they're just having a couple of down years. I don't think that should trigger it, because clearly they've had a track record of being successful, they're having a couple of down years, I absolutely would say, give them some time and see if they can get it back together. You don't need to automatically trigger it. The dean or department head have the option to do that. They can say we know there are extenuating circumstances here, we don't need to trigger this review. My definition of zero is for someone who literally is going 10 years, 15 years without a single thing. That's a very different kind of story. Trying to find a place that permits one and not the other is really difficult to do on paper and that's why the rule has that flexibility built in that department heads and deans can say "we understand the back story here and we don't need to trigger this because we're confident it's going to go away." If it hasn't gone away in three years or whatever that's a different story.

Moderator: Could we invite comments or questions from our video participants? Anyone?

Commentator: I have a question for Dr. August. If I raise the question about a situation, and hypothetical situation, this might be capricious, that a department head would say "I'm going to review you" when it wasn't warranted. If it really wasn't warranted, would the faculty member have the right to appeal to the Dean of Faculties and say "Don't review me"?

Respondent: I'm trying to think out how to answer that one as sort of a hypothetical issue. My hope is that under those circumstances that there would be some peer influence in those departments on which the department head would consider. I hope that under those circumstances that if the department head did decide to make that decision that she or he would seek the advice of the appropriate faculty advisory group in there and ask them to make sure that they had considered the same situation and determined whether this was a fair and correct and appropriate decision.

Moderator: The other possibility is, given that it's a peer review, one of the options this peer group has is to come back and say "We don't think this is actually a problem." In fact, the same thing can happen at the level of the comprehensive review.

Respondent: That's what I was going to say. I think that if the rule doesn't imply this then maybe we should specifically say that in the event that a department head or a dean initiates the process that an appeal, rather than going to John, should be "Ok, you're saying this- I want my peers to look at it", before you get into the situation where you have a comprehensive review. I think that ought to be the right of the faculty member. Where the dean or department heads says "Ok, Strawser I'm putting you in for a comprehensive review," I would like the right to say "Ok before you do this, I want my peers to look at it and see if they agree with it."

Moderator: I think maybe you're right. The department head can call for a comprehensive review the way it's written. It ought to be peer review that he can call for.

Respondent: It is. Remember that all the department head can do is to say "You now need to be reviewed by an adhoc committee." That's all the department head can do here. There is a reason why it's written the way it's written. If I remember from a long time ago, and again this is not all a change, why either the peer group can trigger the review or the department heads can trigger the review. This is because in some cases one or the other group may be unwilling to take the step. The idea is to have two. If you have a department where a department head is really trying to move the culture, it is unlikely that the peer committee out of that department would trigger it. In the opposite case, you may have department heads who are best friends for 30 years with these faculty members that are unwilling to do it to their closest friend so it's the departmental committee that will trigger it. That why in that rule, and that was done years and years ago before I was here, that's why there are two alternate triggers.

Commentator: What if they disagree?

Respondent: It doesn't matter. Either one triggers that review.

Commentator: I understand that. That's under the present rule. What we're saying is, the department head could say "Ok I want a comprehensive review of Faculty Member A." Faculty Member A may say "Alright, before you do that I want my peers to review me," and the peers say "no, we think it's unjustified." It would still go forward.

Respondent: Well yeah. I guess I don't understand why you would have a peer review to review you before you have another peer review.

Commentator: Only because the comprehensive review is a fairly serious thing.

Respondent: It's more material. They just collect more material so they can do a more thorough review. The trigger, the comprehensive review doesn't actually trigger anything. A lot of people are thinking if you fail the comprehensive review, you're fired. That's not the case.

Commentator: I think that's the perception.

Respondent: No, no. Absolutely not. All the comprehensive review then does, assuming they find it against the faculty member, is put in place a plan for the faculty member, a remediation plan, stating we need you to work on the following sorts of things over this period of time. If it's a teaching issue, attend CTE, if it's a scholarship issue, say we want some productivity-

Commentator: But should it go to that level if there's a disagreement between a department head- If I don't like John, and I say "Ok I'm going to have a comprehensive review on him," there's going to be a plan or whatever depending on that comprehensive review committee. Shouldn't John have the right to say, "I want Walter and Mark and Angie to look at this and see if they agree, see if the comprehensive review is indeed necessary. I think a peer review in the department is perceived differently than a comprehensive review. That may be a misperception, but the feedback that I've gotten as Speaker is the concern about that rule, which didn't change, it's been here all along.

Respondent: It's been here from the beginning.

Commentator: All of a sudden, people are saying all right, you guys are changing the rule, we want to change this part of the rule- the existing rule. It may not be a problem in terms of reality, but it sure is in terms of perception.

Moderator: Before we proceed, can I ask one more time, you folks, can you hear the audio? Let me know if you'd like to participate.

Commentator: One of the issues that was brought to my attention was the idea that we've added a new category of ranking from Unsatisfactory to Satisfactory to adds in Needs Improvement, and yet 'Needs Improvement' is also a negative remark. So, if you, say that you don't want people to go to zero, but then you could still say that they're not a zero so they've met that requirement and yet they would need improvement. That seems like there's a conflict between that. And then, I'm interested to know how different departments and colleges have their criteria for what's 'Satisfactory' and 'Unsatisfactory' because I've been here for 25 years and I still have no clue during an annual review. I just did my annual review yesterday for the academic year of September 1, 2014 to May 31, 2015. If I had problems, there would be difficulty in making any kind of improvement or any kind of improvement plan and even having an opportunity, I mean I've basically boiled away another year if I didn't have any feedback to say "You have an issue." There's a lot of concern about the lag time, and we've already seen the letters that came out that said we were going to have late appointment letters because people are going through their annual review right now. If we are going to make this effective, we need to make sure that, first of all we should be doing reviews in September for the previous academic year, so people get instant feedback and then they have that single year to make improvements because if not you need to add at

least a fourth year to this because of just the realities of the timeframe. I don't know if that's specific to my department but I suspect it isn't. I think the 'Needs Improvement' seems a bit contradictory to the "must not go to zero in a category." Sometimes people will say "Needs Improvement" as a kind of motivator to try to get more out of a faculty member. "Not saying that you're necessarily doing badly but we'd like to see you do more in this area." One that you said, that is very very critical is how we pick not only what meets in those categories but who the peers are. That's going to be very specific to this. I think that the department head being able to trigger the peer review is due to the fact that there's concern about how this is, since this has boiled up, and we're having to reset our post tenure review process, or been asked to, that faculty are concerned that this is a means of possibly clearing house and trying to meet metrics for 20/20. These are all the conspiracy theories that people have been tossing at me all week and saying look we're just trying to address these things. I think there's a real concern from faculty. Yes, that part about the department head being able to trigger it has always been in there, but it's not been a concern. Now the concern is, since this is being looked at and being revised, making the review more frequently, possibly, that there's an ulterior motive. I understand there may not be, but that's perception, unfortunately.

Respondent: The frequency has not changed. The task force proposed every three years, but the deans and everybody pushed back on it so I believe the frequency is the same as it has always been. I don't think that has changed at all.

Respondent2: That would mean in Mays, never.

Respondent: That in fact is one of the problems. No, and the annual review letters aren't later this year. They're actually when they're supposed to be. It's just that the Board of Regents is meeting earlier so we're violating the rule until it gets fixed. They're actually coming out at the same time that they're supposed to come out. Whatever, that's a totally different story. I get the concerns in the windows of time that are reviewed and those are departmental issues. I don't think you want the university to dictate exactly how long a review window there should be or anything like that, I think those should be departmental issues.

Moderator: Well, I would say that you guys, you and Bob, and Angie, have brought up an issue that really doesn't have anything to do directly with this rule, and that is, who the heck is responsible for making sure deans and department heads follow the rules? Post tenure review at least every six years has been the law for a number of years. Mays Business School is apparently in violation of the law. To my way of thinking anyway, that people in some department are just now getting their reviews for a year that closed a year ago, is outrageous. That means somebody's not doing their job. That doesn't have anything to do with this rule that has to do with very poor administrative performance.

Respondent: I will say that the other change in this document is, unlike before, the only reporting was if someone failed, that was reported upward. Now, every department needs to turn in to the Dean of Faculties a list of people that underwent peer review that year with a tallying card. So that little enforcement thing that has permitted departments to ignore this is one of the other changes. It's just reporting.

Commentator: Clint Magill, COALS, two or three comments or questions. One of which is simply I've been her long enough to have had a department head come in and manage to get rid of all the senior faculty without having any sort of peer review or anything like that, just by making it to onerous to stay

on. The other thing is that when we talk about these departmental standards, now are those the written standards that apply to getting tenure in the first place or are they something else? Is it defined that they should have faculty input to setting those faculty standards? Are those things that exist now or never will exist because then the next question is, what if the standards are so low in one department and so high in another that it's again unfair. Where do you address this?

Respondent: Yes, what are the standards, the department decides. The department could choose the same standards for tenure. I don't think that's the right choice, but they can choose that. They've always been supposed to decide on the standards, I mean there should be some set of standards for annual reviews. It may or may not be explicitly written down, but they should be there. So yes, the department decides, and yes, the faculty should be involved assuming that the bylaws in your department say that there should be a faculty vote on major policies, then it should be a faculty discussion. It is very intentional that there is a hope that every department will grapple with post tenure review guidelines the next year. That is an intent because I think a lot of departments actually have no idea what theirs say and haven't been looked at. I think many departments haven't revised them from the past edit of this rule and so there is an intent to try to get everyone to revisit those.

Moderator: I think we have a comment or question in the back of the room that has been there for a while.

Commentator: Thank you. This is Arun Srinivasa from Mechanical Engineering. A couple of items. One is, you all have to realize that any of the new things, you have to realize it in the context of other things that are also happening. This is not the only item, so there are many things that are happening including department head score cards and this that and the other. So that is part of the reason for anxiety. You have to understand, for us, this is the continuous sequence of things that are happening. It's not surprising that people would be particularly touchy about the next item. Having said that, the second thing, about the department head's ability to call for a comprehensive professional review. There are lots of words which are very similar sounding and I pay a lot of attention to words from the administration because they stick to the word and not to the spirit. I've seen this many times, so I learned very quickly if I don't pay attention to the words, shame on me. So, comprehensive professional review means I'm getting letters from outside my department. That is how people are interpreting. You may shake your head, but that's a fact.

Respondent: Nothing in the rule requires that.

Commentator: Right.

Respondent: Some departments can choose to do that.

Commentator: There you go.

Respondent: But there can be a faculty vote. That should be a faculty decision.

Commentator: My problem is, in which case, you just said nothing in the rule requires us to have a post tenure review but departments could do it.

Respondent: State law requires it.

Commentator: But you know ultimately state law is... what I'm trying to say is, by pushing against basic things that people worry about, you drive suspicion among the faculty of intent. We are just asking any one of these things and always the answer we get is the same. Nothing in the rule prevents it. Yes, nothing in the rule prevents me from jumping out of the window but I don't do, get it? Let's be honest, and let's have a decent discussion in which we're not- you know we are at an adversarial situation because of the way in which even slight adjustments to words are pushed back very very hard. I need you guys to think about this very very seriously. Why is it that if we say, "Ok professional review means this" then you say no, no, no, we never change it because it could be possible. Anything is possible.

Respondent: I'm going to argue that you really don't want this rule to specify anything regarding external letters. The reason for that is because for some faculty, getting external letters will be very supportive for the faculty. They will want to have external letters as part of their external review process. For other departments or other faculty, they may not want it. I think it is the choice of the faculty group to decide what's relevant to their discipline. If y'all want to propose one way or the other for the university rule I certainly have no problem saying the university rule allows them or prohibits them. I could care less. I just would caution against making that decision.

Moderator: Could I ask, what change to the rule would you like to see?

Commentator: Notice how this went, because I pointed out that this was about a department head asking for a comprehensive professional review. I did not say that nobody can ask for a comprehensive professional review. I am very careful about my use of words. I'm just suggesting that the department head should only ask for a peer review. If the faculty member chooses, they can go for a comprehensive professional review. Allowing the department head to ask for a comprehensive professional review allows them to sidestep the faculty completely. Allows them. Again, nothing in the rules prevents them from not doing that, I know that, I get it. But the point is, ultimately you want to have some faith. Ultimately, look, you recruited us, in principle you have given us something that approximates tenure. So you've got to believe that we will do the right thing as peers. So, allow us to decide whether someone requires a comprehensive professional review, that's fine, and what it means, that's fine, but allowing a department head to do it creates a lot of tension. Even if the department head is a perfectly sensible person, everything is fine, that's not the issue. If a faculty member requires, fine let the faculty member do it. Nothing prevents them from doing it anyway. So I can always say I'll get comprehensive professional review but a department head can circumvent that if possible so please take that into consideration when you write these rules.

Respondent: I just want to say, as a newcomer, a pediatrician who's privileged to have been on the faculty for a long time, but now full time with the school, I'm so please to have the faculty who are visiting have the guys to come up and speak, because I know this takes a lot of courage and you're representing your faculty who have verbalized concerns. My thanks to all the executive committee, the administrators who are here, because I think we all share the same goal of achieving excellence and also securing the good works of the good working faculty. There must be, obviously, some who might not be doing as well hence the need of the state for post tenure review and so we have to be good stewards and try to figure out a mechanism by which they can be improved, encouraged, or called with time because it's not fair to the tax payers to subsidize folks who don't work. Not to say that that happens, but I suspect that it has happened in the past, and certainly there are some faculty who work very very diligently with no question and then others that might not so I think that is one reason, but your

comments are so appreciated by me. I know this body will try to incorporate all of these comments and come back with an improved document that then would merit reconsideration as well. My thanks, because I know that this isn't easy for y'all. I'm proud you do it.

Commentator: John August, Dean of Faculties again, just an observation. I've been in my office just a little over two months and attending the last Faculty Senate meeting and then listening to comments at this meeting as well, I think one of the things that has struck me, and I may be a little naïve, is the level of distrust. And we don't have to discuss that today, but our office at the Dean of Faculties is going to be increasingly responsible and we look forward to expanding administrator development programs. I will be particularly interested in hearing from my colleagues in the Faculty Senate and elsewhere how we can make those most impactful to minimize the distrust that I hear repeatedly in comments that are made. I'm just going to make that comment because I've been quite shocked about the amount of distrust, and disappointed actually at that point in the conversation. Our office can help you I believe through administrator development improving communications in the future. We'll need feedback, not just anecdotes but in general, feedback about administrator preparation and development and opportunities for improving communication skills and a variety of other processes like that in the future. That offer is going to be out there, I don't want to hear anecdotes but I want to hear real issues that can help us be most effective.

Commentator: I'd like to go back to the comment that you'd made about the comprehensive professional review and the concern in, as you say, the continuum of the academic analytics and things that are hitting in my college very intensely. One of the issues in this, and one of the reasons to take away the department head being able to trigger this (or something else we should think about editing I guess) is that the faculty review committee for that one is appointed by the dean. It says "consultation with the department head and faculty member" but the dean doesn't have to take that into consideration. And so, when you say this is going to be a review committee, it's not necessarily even going to be a peer committee at that point. That's one thing that would line into what you're talking about as a concern or something that we should probably look at. Then, you said that each department should be making up their own criteria, I think that it would be good to put that in the rule that departments should be doing that, because faculty in certain departments may not even know that that's a right that they have or an opportunity that they have. Unless they have faculty leadership in that departments who's familiar with the process and knows that that's something that they could do, it may not happen. A department head, not necessarily maliciously, but just because this is the way we have always done it, takes responsibility for deciding what's satisfactory and what's unsatisfactory, instead of the faculty making that decision. Unless we specifically empower the faculty in writing for that to happen, I'm afraid it won't happen in many locations because they don't know that that's something they could do, even. It really should be, rather than "could do", it should be an expectation that they do that. They should be participating in this process actively and the only way that's going to happen is if it's part of the rule.

Commentator: Walter Daugherty, College of Engineering, Computer Science. Back to Angie's point about getting discussion of her annual review 12 months later. I think everybody agrees that that's an egregious abuse of the discretion that's allowed. I understand the desire for flexibility that not every department may have to do it the same way, or every college the same way, but let me just ask, why not? We have a uniform date for staff evaluations. All staff are evaluated for the 12 months ending March 31st. All staff must get the review within 60 days after March 31st. So why not do the same thing

for faculty? Set a date. Maybe March 31st is not the date for faculty, but set a date and say that all faculty will be reviewed for the 12 months ending on X and will get the results of that review within 60 days after that. Why not?

Respondent: I have no problem with that at all if Faculty senate wanted to pass that. Let me tell you one thing that will happen. There are many colleges and departments that operate on the calendar year, and many that operate on the academic year. By taking that position and imposing a date you're requiring a number of colleges to change their choice of what process to follow. Doesn't matter to me if you want to do it.

Moderator: But you could say that each department needs to, must establish a date and complete the review process within 60 days of that date.

Commentator: At least.

Commentator2: Logistically, what happens is, my department for example, has 75 faculty. So if I want to do it within 60 days of March 1, or whatever, I've got to make sure-I'm the Associate Department Head so I play both roles, it gives me complete confidence to switch my hats whenever I want to-but the deal is, we have like 60-70 faculty. We're not the only department. Civil Engineering, Electrical Engineering have many more faculty than that, including the non-tenure tracks and so on. So if you have 60 faculty and you want to do it within 2 months, I have to do at least 2 or 3 per day, and there will be faculty who are on travel. That's a fairly serious challenge. For example, our annual review is still going on as we speak because faculty were not there for a while, this, that and the other. Then the department head has to go on development trips and all this so it's extremely hard. That's the reason why it gets delayed. We do some kind of triage, in the sense that we say ok, Assistant Professors and people who need to get immediate feedback, and people who are on six-year who need to be reviewed, they get first. Then you go through this and finally the people who are not on the cycle, they get last. It's difficult for us to organize it. It's a logistical matter. That's something to think about.

Respondent: I'll play devil's advocate. Every large business in the world does annual reviews on a timely basis. Why can't A&M do annual reviews on a timely basis? They should.

Commentator: People don't turn in their annual review documents on time.

Respondent: That's on them. That's on the faculty, right? The faculty should do it.

Commentator: Well imagine, I'm doing this thing, and you come along and you haven't turned in your annual review. Am I going to give you a 'Poor' in all 4 categories? You are a super person. I know you have done wonderful work. I'm not going to give you a 'Poor' in all your categories, I'm going to tell you please turn in your annual review as soon as possible.

Respondent: There actually is a date and I would say that most departments follow it. The date is two weeks after the Board approves the budget. The Board has generally approved the budget in the July or August meeting.

Commentator: And that's the date?

Respondent: That's the date. Now, what happened this year and why you got the letters, the Board has decided to do the budget in April. People weren't ready to do annual reviews by the middle of May,

because we've had the tradition of doing them in July. I think if Faculty Senate says "We really want them all done in May or April" or whatever, go for it. But that's what's happened this year. That's why, but the rule says two weeks after the Board passes the budget and it's always been the late summer Board meeting. That's been the date.

Commentator: For untenured faculty, that's not the date. For people in the tenured faculty who are not tenured April 15th, and then we were always told June 15th for tenured faculty. What's worrying me is the conflation between merit, which is contingent on a budget, and an annual review, which says how you're doing, independent of whether there's a budget or a raise. This is, I think, really problematic in terms of- when I think about, for example, how our committee reviews- our committee reviews, but the review is mostly for merit. There's a kind of evaluation, but one of the things that has gotten some people in my department into trouble is that there are a bunch of numbers that come out and there's nothing qualitative because it simply feeds into the merit- whether you get a merit raise or not. Nothing about how you're doing. This raises other issues because if you have an Associate Professor who is your department head, that person is going to have a hard time mentoring a full professor. There's all kind of conflations going on here that really need to be teased apart. What's the mentoring process? How does that relate to the merit issue? Merit should be separate from how one simply has done. Otherwise what you end up with is, if you don't get a raise you're essentially also not getting an evaluation. That's what it begins to look like. These should be two completely separate issues.

Respondent: A lot of departments put these together. The rule doesn't address whether they're separate or together. Some departments do them all together, there's one letter that does both. Other departments choose to do them separately.

Commentator: What I'm saying is, the Assistant Professors who are supposed to get their letters by April 15th, it's not contingent on this budget issue, and as a result-

Respondent: Well the date is "no later than"-

Commentator: Exactly. Right. And they need it for obvious reasons.

Respondent: Well yeah. Absolutely.

Commentator: But with issues about post tenure review, so do we.

Respondent: Ok.

Commentator: That's all I'm saying, that these need to be separated. The budget issue needs to be separated from the evaluation, from this other part of the evaluation. That's all I'm saying.

Commentator2: Well and best practice is you're not supposed to link your merit with your annual review, because you're trying to provide constructive feedback. I have a comment, this has become a problem because we've changed, or added the idea that if you're 'unsatisfactory' in a single category, or 'needs improvement' which we still haven't defined, in two categories, and that happens three years then this triggers this review. So this is different than what we've had before, vastly different.

Respondent: Yeah, that part is different.

Commentator2: Yeah, so that's why I said the delay is a problem. Now, not that I did, but if I have 'unsatisfactory' in a category, or a faculty member has 'unsatisfactory' in a category that they find out a

year later. They thought they were doing ok, now they find out they have 'unsatisfactory' but it's too late in that year to fix it so now they've basically got 2 'unsatisfactory'. Depending on what they need to do to improve, it may not even be physically possible to improve that third year. That's a problem and the reason that I think there's a lot of concern from faculty is that we are deciding to effectively trigger this more often by the changes in the rule, by adding those categories. My question is, when do you envision this starting? If you make this effective now then we are going to have people who are immediately triggered for these peer reviews and possibly the comprehensive review who've thought they were doing ok, or hadn't had any adequate feedback to try to make any kind of improvement.

Moderator: I think what this underscores is that we've got other problems with our administrative procedures. There are bits and pieces of this system that aren't working. They're not working in a way that, if I understand this correctly, we risk making our post tenure review procedure unworkable. Not because of the post tenure review process itself, but because of other parts of the job that aren't getting done in a timely fashion or aren't getting done correctly. That comes back to the whole issue that I've been talking about for a while, we need a task force on management and leadership so that we establish best practices at Texas A&M and we don't have these problems.

Commentator: Yes these are definitely intertwined.

Respondent: So can I ask a question? I hate how this going to come out, but forgive me. Do you actually think that there's a faculty member that would be surprised that they're deemed 'unsatisfactory'?

Commentator: Yes. If there is not written criteria, absolutely. You could have a new department head come in. New department head has different criteria, or the dean has decided that there will be new criteria. If we don't have, or have gone through a process that has clearly spelled out the criteria for a faculty member so that they will know what is 'satisfactory', 'needs improvement', and 'unsatisfactory', then absolutely we could have somebody completely blindsided.

Respondent: Even with good criteria- my point is-

Commentator: I understand that, but that's a big caveat "with criteria". We haven't got any place in this rule where we expect that. We're not even addressing that very critical part of the process. I'm saying this is, to me, this is a starting framework but there are tremendous gaps in this that are going to lead, at least to the distrust issue, but potentially to abuse as well. Certainly to the concept that people are going to start clearing house.

Respondent: "Clearing house" has such a profound connotation. That that could happen at a university of this stature is scary. I presume it must be at least in the mindset of individuals because I've been taught that what is verbalized has really been there for a long time, it's a true emotion. You can tell in stories there is a lot of it, which to me is very scary. The prospect of a department head clearing house. There are also, some faculty, that aren't delivering the goods. From one who was in private practice so to speak with Scott & White, one phone call and I'm gone. I'm gone with one phone call. I see the desire of the tax payers to have faculty who make us proud. I need help as we work with other faculty in ensuring that faculty are worthy of the title of Faculty of Texas A&M, including tenured faculty. There are some tenured faculty who might be perceived fairly, in my view, to not be good stewards of state resources. I think we owe it to the people Texas and the students to make that right if we can, and if not then there should be consequences because it's simply not fair to the hard workers.

Commentator: A couple of things. One is with regard to annual reviews and things like that. Part of the problem is that we have gone from a fairly small job-shop to a much larger business very fast. So in a job-shop you know who is doing what, how to individually utilize each person in a different way. Part of this thing has to do with the fact that we have gone very quickly to that. We went from, when I joined, 45 faculty to 70 faculty like that. With many different, now 7, 8, 9 categories, it is hard for us to keep track of what is 'satisfactory' for each type of category. So that's item number 1. That's one of the reasons why. The other thing is, it is very different evaluating a faculty worker because they're making widgets so I can see whether you've done well or not or how many, for example, how many patients you have seen, versus a person, in a single department, I have someone who is working on water resources, I work in continuum mechanics, the other two people in my group are University Distinguished Professors who publish like 10 times more than me. But I tell them that's because I teach their classes so that's a whole other thing. The point is, creative work cannot be easily evaluated this way and also, your evaluation process, if I am tense I am not creative. Mistrust feeds into this thing in a very fundamental way, because I am thinking, rather than thinking about something that will bear fruit 10 years from now, I go for the low hanging stuff because I want to make sure that every year I am 'satisfactory'. That's item number 1. The second thing is, the issue of tax payers, and I have talked about this quite extensively in various things. One of the academic reasons for having tenure is to send the signal that are grades are not based on our salary, so that external people can trust what we provide. This is the same reason why judges have tenure. We do not think about this because we always phrase this in terms of academic freedom and not academic responsibility. The reason for tenure is not because we want to do crazy things but because we are in the judgment business. I have seen this case, I come from India and I can tell you that I can buy a degree in 10 days. Because of the extreme version of this, I am very appreciative of taxpayer money, but it doesn't provide the people with any credential that is usable. We have to be very careful about doing this. Part of the reason why we are pushing back, why I am pushing back, is I am afraid that you are going to kill the baby with the bath water. Be gentle on these things, otherwise, as it is, there is a lot of distrust; I can tell you that. Be gentle on these things so that you understand where we come from. I can tell you that I am very proud of what I do with my class. I think, a person that gets an A, we have to be fair towards the students, because you pay a whole lot of attention, but what about if I decide to give all A's? It would be phenomenally efficient. If you have children you will know what I mean. You want to send them to a tough school because you want people to be fair to them, right? One of the problems with all of these things is, and I can tell you as Associate Department Head I hear from untenured faculty, lecturers- who are petrified about these kinds of things because one of their major evaluations is student evaluations for .3, it doesn't matter whether you're top notch or not. This is reality, so please remember, for every time you say "this ought to be", we have to face what is. And what is, is these kinds of numbers. If you do this, and the outcome is not good, our cycle time is very large. It takes a long time to establish reputation, very quick to destroy it. Let's be careful and deliberate. If it takes five years, let it take five years. The university has been here for 150 years, we've had terrible terrible department heads and it's still survived. Let's do it right. That's the whole point.

Commentator2: My comment, just piggybacking on this one, and similar to the very first one that was mentioned. We're also a land grant. There are particular, I would say, responsibilities. I'm a full professor now and the irony of what's happening now is that I saw myself taking on a heavier riskier project that would satisfy the land grant mission but because of issues like student credit hours, it's difficult for me to get a course released to compensate for the time that's being devoted, which, as my department head said to me very blithely the other day, "this is your initiative, no one is making you do

it". I thought, there's clarity, because he's right. No one is making me do it and if time isn't going to be compensated in some way to allow me to continue my research project, which is what I am evaluated on, why would I want to take that risk? No one is making me do it. I think that's exactly right. These two comments together, the issues that tenure is about protecting certain kinds of things that we do, but it's beginning to feel like it's protecting the widget maker. It feels like it. There's a lot of "you have to keep producing" and then "you have to keep producing more". Look, you see it. They don't know, I think faculty don't know how to evaluate each other, so they start counting things up. Then somebody has a whole lot and somebody doesn't so then somebody doesn't look like they're doing very much because they don't have a whole lot compared to somebody who- I'm saying this as someone who's not actually worried about this for myself. I'm saying this as someone who feels myself wanting to do other things, but why would I want to take that risk on? Do you see? There's a disincentive.

Respondent: I see. One of the big disconnects here, I think-and a couple of years in Dean of Faculties and I've read I'm not sure how many thousands in P&T folders, so I've seen lots of criteria across the university- what I think should be counted as 'Satisfactory' here is not anything at the bar of what would be required to earn tenure. I think people are thinking, and maybe some departments want this, that you need to be operating at the same level for 40 or 50 years. I think the 20% was to say, no, we get it that people change, and if the norm in your department is five papers a year, we think that if you're not doing more teaching, you're doing some incredible service and you're publishing 1 paper a year, that's probably fine.

Commentator: Probably. I think the department heads discretion is going to be the thing that worries people.

Respondent: No, no, exactly and I think the department head has the discretion to decide that and you really don't want a rule to take that away from the department's discretion.

Commentator: Or the other way. You can worry about a capricious department head. Someone who doesn't value that service you're doing, who says you're no longer contributing to the 'flower' or whatever metric you're using-

Respondent2: Because that's not in your job description.

Commentator: Right, because it's not in your job description, this was your initiative.

Respondent: Yeah.

Commentator: Which all of a sudden now is a bad thing. I think that, and I know that John doesn't like these anecdotes, but I think that's where the devil actually is, in the different department heads and how they respond to these things. This is precisely what some of us are worried about because we see it.

Moderator: Let me offer a couple comments. One is, I share John's concern about anecdotes, but I think in fact sort of the personal stories are the only way you're going to get to the bad practices, because we can't learn about them otherwise. You can't do it with a survey because people are so mistrustful of surveys they won't give you anything on a computer. I'll offer a couple of anecdotes just to underscore what you said. Years and years ago when I was an Assistant Professor, we had a scoring system and I was four points short of perfect so I put the hammer down just for fun the next year. My performance

went up, we changed department heads, previous one was a good mentor, the other one had been a friend of mine, still is, but my score went down. I thought that was really weird. Performance went up, score went down. That's a problem. The other thing I'll relate is several many years after I became a full professor, and you know when I was younger I sort of prescribed without thinking about it to this notion that when you're a full professor you can slow down and do things that are more thoughtful and maybe riskier and what-not, I realized after five or six years of doing that, I'm on the same treadmill that I was on the day I walked in the door without tenure. I think that is a point that is well taken, what is it that you really want your senior faculty to be doing? Do you want them to be running up a score of things that are countable? Right not we've instituted a process in our college that just lends itself to bean counting because we've instituted an instrument that allows the dean's office to extract data when they want it and now we're using it for annual evaluations. I'm climbing a wall because we're now using a bean counting instrument to measure performance. I think that's terrible practice. That's my little story.

Respondent: I think the people of Texas want this institution to solve big problems. Sometimes you need the wisest ones thinking deep thoughts and metrics don't easily comply to that. But over time, peers, society- I'm not competent to evaluate computer science, feline issues, philosophy, engineering, mathematics... I'm not-but peers ought to be able to. There should be some substantial contribution if after five or seven years of effort from faculty that's been allowed to go do their deal. See, we're talking to the choir. You, Claire, are advocating what I perceive as valid observations from many faculty who are deeply concerned and want to contribute and have the security of tenure but administration I think also rightly wants there to be a little bit of umph. Anxiety is always the worst thing. I think that's why some people are motivated. Now, you want them to be able to perform at their very best. Accountability is important for all.

Respondent2: Can I make an observation?

Moderator: Sure.

Respondent2: The only people that are here now are the executive committee and two administrators.

Moderator: Are there any questions from Kingsville/Temple?

Question received via email from live steam: We have no requirements for what to write in our evaluation for our teaching other than margins, font size, and length. Are we supposed to have requirements for that?

Respondent: I think that is up to the department to decide what they want to look at. I think a lot of departments-I'm going to be really blunt here-I think a lot of departments have completely abdicated responsibility in evaluating teaching. The fact that he say the only teaching evaluations is the student evaluation score, which actually is a violation of our rule that says you must evaluate teaching with more than just student evaluations, but most departments, because it is a lot of work, don't do it.

Commentator: For all of this, we have to fix the underpinning first, before this becomes an effective tool because other than that it becomes punitive and people could potentially lose tenure over something that would be a horrendous miscarriage of justice.

Moderator: In our department, I'm newly appointed to our Tenure and Promotion Committee, and our chair is as well, and we have a requirement that we do teaching observations of all people who are

eligible for promotion to either Associate or Full but we didn't have an idea of how to do that effectively so we had a meeting with a representative from the Center for Teaching Excellence and we're trying to put together a protocol and develop some expertise so when we walk into a classroom we have some idea of what we're looking for. Fact is, we don't know how to do it and we're going to stumble around for a while. I think what Mike says is true, department heads and others don't-I don't think it's that they think teaching isn't important-but they don't have very good tools for evaluating it. The other problem, and this has been pointed out before, our teaching evaluations will be effective when we invest as much time in doing those as we do with reviewing proposals and papers.

Commentator: I have a regular opportunity to meet with the Steering Committee of the Council of Deans and Department Heads and sometime it will be good to start a dialogue with them about some of the issues that are being raised out of here with regard to the evaluation process and communications and a number of other issues that we've talked about today. I'd like to work with the Executive Committee to start looking at identifying some of the basic issues that can be part of those discussions that they can lead on to their bigger group as a result of this but allow me to start that with the Steering Committee. I'm going to need your help again with sorting out the wheat from the chaff with regards to this.

Moderator: I wonder if it would be fruitful for the Steering Committee of Department Heads to meet with the Executive Committee of the Senate because we hear from the faculty in a different way than the way they will hear from their faculty. We could have a conversation about that.

Respondent: Let me make one comment. If we reflect, after a whole bunch of questions and a whole bunch of comments, if we reflect on them, I think there's one theme that is permeating many of these questions and that is: distrust of administrators. That is the main issue that we have to address. I have no clue as to how to do it, but there is a distrust of administrators. A lot of the questions that are being asked wouldn't be asked if there was that trust. John that's one thing (you're a magician) that you're going to have to address.

Commentator: I would like to make a comment on that distrust. That comes because there is no standard policy or standard expectation that is expected from different departments because there is a wide variation. If we have something that is made clear what is the standard and what is the expectation then distrust would go away because they know ahead of time that these are the things that are expected and these are the standards for our department. In the Steering Committee it would be more fruitful that if it is discussed among the Heads that they have some written policy or written standard that is passed on to whoever is getting reviewed.

Respondent: I was just going to remind you that if you are going to be talking to the Department Head Steering Committee that there was a task force put in place, I want to say 5 years ago now, that looked at faculty evaluation: teaching, research, service, and I thought out of those documents (I was on the research subcommittee) what we generated was relatively worthless because we all already knew how to do it, the service one still couldn't figure out how to do it, but the teaching one was actually very good. Simon Sheather was the chair of that committee and he reported to the Faculty Senate. There was all sorts of recommendations, and as far as I know it had pretty much zero impact. I think everything that they studied and what they came forward with was probably quite valid, and a really good starting place, and it was a very strong committee that worked on that for close to a year and wrote a very nice

report. I think that is an excellent place to start if you want to think about how to do teaching evaluations.

Commentator: Great.

Moderator: Anything else? Anyone else? I think that will close our forum and some of us will reconvene Wednesday morning. Thanks everyone.