

TAMU Faculty Forum on Post Tenure Review

May 16, 2016

Commentator: Howdy, I'm Len Bierman. I'm a professor in MAYS Business School, and just became the Speaker of the Faculty Senate. We're holding these open forums to get input on the proposed post tenure review revision. One of the things we recently added to the website, which is helpful for me and I went through quite a number of them, are the provisions for other universities that are kind of our peer universities, Maryland, Virginia, all the SEC schools, Auburn. It's really interesting reading the different language they have to define things. That's helpful and that was used by the task force. In any event we're really wanting to get a much input as possible. This is the last for now of the open forum but we may have more if there's a need for that. The summer is kind of tricky but we could do something more in the fall if need be as we go through this process and work with Dr. Benedik and others on these things. In the meantime, Kelly Drake has been really great about this, we have an email for the Faculty Senate, if you have comments or things you want to put in writing, please send them to that email. We've posted quite a few things to kind of have an open dialog going that way. In any event, I chaired the last meeting. The person chairing today is John Stallone, former Speaker of the Faculty Senate, department head and other major things at the Vet School. So I'll turn it over to Dr. Stallone.

Moderator: Thank you, thanks for the generous introduction. So really we meant these forums to be kind of spontaneous. Hopefully you have brought some questions and concerns that you would like to share with us. I'm just going to open it up.

Respondent: You were on the task force, correct?

Moderator: Yes I was.

Respondent: Could you give us a little history?

Moderator: Oh, yeah, yeah, sure. So we met a number of times, I guess it was last... oh, during the winter. The task force was very representative of faculty, a number of members from different colleges, we discussed and looked at other schools, and reviewed ours. I might also mention two of the other members of the task force: Rick Carlson was a former speaker of the Senate, he's on the executive committee right now, and Dr. Bob Strawser, he just finished his term as Speaker and has been Speaker several times. Anyway so all three of us were on that task force. The main thing I, well a couple of points I guess. One of those is that, we were amazed I think, most everybody in the task force was just amazed at the variability in the requirements of post tenure review as it existed currently. The evaluations and what was considered acceptable versus not acceptable was extremely variable department to department or college to college. I think most of us were amazed at the variability and were concerned about that. I think one of the major ideas here was to review that and revise it in a way that made it a level playing field. That would be much more equitable for faculty. So I think that was the main concern. We were pretty much in agreement, there was just minor, I would say, minor discussions about the issues that we finally stated. The task force felt very strongly and very evenly that we had some good revisions to do to the post tenure review process. It's a work in process, we need to get your input so we welcome that.

Commentator: I guess I'll start out. I found a lot of the comments people sent in interesting. One I thought was pretty good and actually I thought it should be a national standard is what AAUP says. I went in and actually printed out the document on it and I thought that looked pretty good.

Commentator2: I'm from the TAMU Libraries, I'm an associate professor there. I've been on the faculty at TAMU Libraries since 1992, tenured since 2001. When I look at the draft you've made available one thing I see as a problem in our situation at the libraries is Section 4: Comprehensive Professional Review. I was struck when I read the ways in which a comprehensive professional review can be initiated "...three consecutive overall unsatisfactory annual reviews or upon the request of the department head." At the library, our department head is also the dean. That same person assigns our rating in librarianship which is fifty percent of our annual evaluation every year. Fifty percent. So I really see that as a problem because it concentrated too much power on one person to initiate a comprehensive professional review. Also I see no description of what would justify a department head to initiate a comprehensive professional review. In some of this I am seeing problems in how the dean is evaluating our librarianship at the TAMU libraries. I'll give you an example of what I mean by that. When you take the evaluation of faculty member A and faculty member B for a given year and you compare them you see that both persons A and B, let's say, forgot to do something. That becomes a problem and that becomes a part of the person's rating in librarianship only for person A and it's not even mentioned in person B's evaluation. That's one scenario. Another scenario is that persons A and B make some contribution, similar contributions, to some collective effort. Person B is praised for it, person A is criticized for it. So there are these problems of bias. Also, 11 of our tenured and tenure track faculty have left in the last three years. Some of them have left because of the unfairness in their evaluations. I could put you in contact with some of those people. So these are problems for us at TAMU libraries that I see in this document. We recently had a faculty meeting like this at TAMU Libraries which was an open forum for us to say things like I'm saying now, I suggested at our faculty meeting that one of the comments we should forward to the faculty senate and the committee is this: in the Fall of 2015 the TAMU Libraries conducted a faculty climate survey. I have the results. The results were distributed to us in a publication which I can share with you. One of the findings in that climate survey was that among faculty at TAMU libraries, the faculty rated procedural justice a 3.9 on a 7 point scale. That's not something you could call by any means confidence in procedural justice at TAMU Libraries. No one would argue that that's a confidence in procedural justice. I suggested, I was the first to speak at our faculty meeting, that we should forward this as part of our comments to the committee and to the faculty senate. The next day, the associate dean who presided over that meeting sent an email stating that my comments would not be included to those forwarded to the faculty senate because they were not appropriate and were not part of the scope. So I wanted to mention that here also. These are one of the things I wanted to outline at this meeting for your information.

Respondent: David, can I respond to a couple of things you said? First of all, the things about the comprehensive review triggered by the department head or the dean, none of that is a change. That is existing policy and has been policy for a while. None of that is anything new. The things that are new in this rule relative to the existing post tenure review are the change in sort of the global standards of the university. The actual process and procedure has been in place since, I want to say, 1997. So none of this is a change at all. The second thing I would comment on, and I know I and Clara, those of us who have a role in faculty governance take issues of concerns about governance within colleges as being very important issues but I don't think one wants to rewrite university level rules because a unit is having

issues in governance. You need to solve the issues in governance within the unit. You want to make sure that university rules are appropriate across the board but the two are kind of separate things. I think. If there's a problem, one unit doesn't dictate that we have to change a rule in order to address that problem unless it's caused by that rule. You get what I'm saying. The main point that this is not a change, the issues that you have, and I'm not saying they can't be brought up and considered but this isn't anything new. This has been in place for years. Although I know it's a concern for people, it hasn't actually triggered anything. Administrators are not abusing that part of the rule and haven't been.

Commentator: Thank you for your response. I'm aware that this is not a change but I think that at a time when we're looking at the issues, this is something else for us to consider and to look at. I'm speaking from my perspective at the Libraries. And then, I think you were speaking about the finding in our climate survey, that that's not a concern for the whole university. That may be so, but maybe not. I felt that was an important finding that should go forward and maybe help the committee think about something that they otherwise may not have considered. Maybe there are problems like this in other units. I felt that it was appropriate to be said. It was an open forum and no one spoke against this from the faculty. In fact several people supported me, suggesting that we send this comment.

Respondent: I have no problem with hearing it. I think it is fine to have brought it up.

Commentator: One thing I think has been a major change from three years ago and my last year as department head. In the three areas that we started with you could have a 'Sat' in all of them but if you had an 'Unsat' in one you could balance that out with a 'Superior' in another. I guess last year that's changed or maybe this year it's changed and you've got to have 'Sat' in all three.

Respondent: Well that's a proposed change here.

Commentator: I thought that was a major change. I think it could balance out.

Respondent: It is a major change. I hate to speak for the committee because the committee was faculty but I think what the committee said was there should definitely be an opportunity to rebalance someone's career but that in none of the activities should it go to zero. It's certainly completely reasonable if perhaps someone's research expectations go down if they're picking up on their teaching or maybe their teaching expectations have changed like an administrative load. That's all fine. I think the concern was not to go to zero.

Commentator: I'd agree not to go to zero. What constitutes as 'Unsat'? Is that zero?

Commentator2: Or needs improvement.

Respondent: That's whatever the faculty in the department decide.

Commentator: I'll tell you a little bit about my department, political science, and our standards which were drawn up several years ago. They require that a faculty member must be rated unsatisfactory in all three areas in order for a process to be triggered. This recommendation is much more rigorous than that and what I would like to know is, what was the charge of the committee? First of all, who convened the task force?

Respondent: I guess you would say I did. The provost asked me to convene the task force. I went to the Faculty Senate and got them to recommend people to serve on the task force. There was no specific charge other than to review the post tenure review policy.

Commentator: That was going to be my second question which was what your charge was.

Respondent: Review the policy and recommend changes as they so wished.

Commentator: Ok. I find myself in agreement with a great deal of the comments that have been collected. This gives a lot of power, as you pointed out department heads have had that sort of power all along and also to various faculty members. It's also going to mean a lot more work and frankly I think the standards 'unsatisfactory', 'needs improvement' and 'satisfactory' sound to me as if they came off a child's report card. I know I am sensitive to the history that does not appear to have included department heads abusing power, but most colleges, certainly true of mine and probably others, like the library, do have flaws in their organization and in management. If these recommendations are accepted, you're giving a lot more power to make this a much tenser place to work even after you get tenure. I know one of the commentators said that it would make it harder to recruit junior and senior faculty. Someone else who was not necessarily somebody who's comments I all agreed with basically said that people work best in an atmosphere which is welcoming, encouraging, supportive, and not anxiety provoking like this.

Respondent: Texas A&M University has to be competitive, highly competitive with other universities worldwide. Yes we can have a warm and inviting place but in all my experiences when resources start getting limited, the most competitive and fierce with gather the most resources. Looking back on page one, you see that the university expectation is that tenured faculty are expected to perform adequately. Now I know our presidents goals and I'm sure many people in this room share the same goal that we have to perform way above adequate if we're going to compete with the likes of Ohio State University, UC Davis, MIT, Harvard, ect. I think this is actually a protection of that goal, of that mindset. We just can't settle ourselves with just being average, or adequate. We really need our best and brightest to keep pushing well beyond the comfort zone of tenure to remain the most competitive that we can be. Otherwise we have a false hope of ascending to the premier status.

Commentator: What other peer or aspirant peer universities like Harvard or Yale have this process? These rules?

Respondent: They're posted on the web. Not so much the elite private schools but the other schools in the SEC which would be by definition Alabama, University of Florida, and other major peer-ish state universities like University of Maryland, University of Virginia.

Respondent2: I'm going to say virtually all public universities do have a post tenure review policy.

Commentator: No, no, just for the number seven.

Respondent2: Are you talking about the task force recommendations?

Commentator: Yes.

Respondent2: Let me clarify. The task force met, and those are the recommendations of the task force. I took the liberty of taking the recommendations of the task force and incorporating most of those

recommendations into a draft version of the rule. Not all of them, but most of them. So what the task force said is kind of irrelevant because what counts is how the rule is passed. That's the only thing that is going to actually go forward and is relevant. So that's the first part. I don't have a copy of the task force recommendations so what was- oh wait, here, yes I do. Yeah, so number seven is a new item that the task force came forward with. I think it's something that is open to debate. I put it into the draft rule because it was one of the recommendations of the task force. I think it certainly something that is worth discussing. So if you read post tenure reviews at other universities, they're all over the place. I could find some that have something like that; I could find many that don't. I don't know how helpful it is to say a couple have it, a lot don't. That is a new change and that is something the task force thought was important. The reason they thought it was important is because the task force really strongly believed that what you want to do is you want to inform faculty that their performance is approaching inadequate long before it really gets there so they have an opportunity to remediate, to fix, to reengage. They thought that one 'needs improvement' is just a little bit of a warning signal but if somebody has 'needs improvement' in two different categories what I think the task force was saying is if somebody really needs to improve in a few different categories they're really not taking their performance seriously. I think that was the perspective of the task force. John, is that a fair statement?

Respondent3: Yeah.

Respondent2: So remember this is not two years in a row where you need improvement this is you need improvement in teaching and research or you need improvement in teaching and service. If two out of the three categories needs improvement, they thought "ok this is a warning sign".

Commentator: But it all goes back into how 'needs improvement' is defined.

Respondent2: That's defined by the department.

Commentator: But that needs to be clarified in the rule.

Respondent2: That it's defined by the department? Well, ok, yeah, we can, that can be done. All tenure, annual review, post tenure review standards are set by the faculty in the department or if the department doesn't set them, then they default to whatever the college has.

Commentator: It does say that.

Respondent2: Does it say that? Ok. Oh, great. 2.1. The end of 2.1 says "by departmental standards".

Commentator: I just want to say, in the mathematics department, well first of all, mathematical research is something that is, once you fall behind, really hard to catch up. We have some faculty members who were hired before we were hired, the department head. There is a lot of high quality research, but this would almost need to require firing existing faculty, or starting the post tenure review process, unless they really jump up there. For some visiting faculty it would require firing them to be competitive. If we were to kick people out in this manner, it would become very hard to recruit new people, new faculty who don't have tenure. Most of these faculty who stopped doing research are contributing in enormous ways to other areas: administration, teaching, mentoring and they're very valuable. They're making very valuable contributions; we'd hate to lose them. I think that this 'unsatisfactory' in any single category triggering a post tenure review should be changed. They should be allowed that.

Commentator2: Maybe balanced by a 'superior' in another category. Is that still in the current rule?

Respondent: No, there is no such thing. Some departments may choose to balance it because under the current rule that would be permitted but the guidelines per say don't address that at all.

Commentator: I want to add something. I want to say something very similar to him but I wanted to give an example. There are areas where research is highly creative and innovative. You cannot force creativity. We have a lot of people who do a lot of important things for the department, in service, they do additional teaching, actually our department head and our department decided to give more teaching roles to people who are doing less research. Should they now be fired because they decided to do more teaching? There are also areas like experimental physics. It says here that the department has to come up with a plan to get the person back into satisfactory territory. If you are in experimental physics you need a laboratory and seven million dollars. Then is the university then willing to put in this seven million dollars to get this faculty the opportunity to do more, better research? I mean, how should this work for experimental physicists who lost his plans (or she) and how will there be a remediation as it's suggested here? Let's talk about big, good universities. I'm from Cambridge, and they have faculty members who do very important work which is not research for the department.

Respondent: So if you look at 1.3 that's actually addressed right there.

Commentator: It says 20% effort in any category.

Respondent: No you're reading the guidelines you're not reading the rule. The 20% effort went away in the rule. 1.3 in the rule says "alternate work assignments, such as administration for example, may replace one or more categories with written approval of the department head and the dean. Faculty are to be reviewed based upon the assigned duties, this would include administrative assigned duties of their position." I know last forum your department brought up somebody who "is this incredible researcher, we're not putting him in the classroom anymore". My response was "I don't have a problem with that. You assigned them to do graduate studies and research; you didn't assign them to the classroom. They're performing fine."

Commentator: Will he get an 'unsatisfactory' in teaching? Or-

Respondent: No. It's the faculty in the department that decide what's what. So if you're department head with the approval of the dean has assigned someone, "I want you to be our undergraduate advisor. This is 50% of your time. I'll give you two courses and you've got committee work." If that is their job assignment and they're doing fine, it's not an issue. I have no problem with that if that's their assignment. What I think this is relevant for is that very small number of people, and I'm going to say this is maybe one percent of the faculty who are barely doing their teaching, no doing any research and no longer doing scholarship. That's kind of the target, the people who are not putting in a full day or a full week's work. For people who are doing good work for their department, no issue. The second thing I'd say, and again this is something open for debate I'm just going to give my own opinion, is that there is also an equity problem if you have someone who hasn't taken on other duties and all their doing is teaching two or three courses and really doing nothing else, how are they any different than a senior lecturer? They're doing the exact same work load for probably a much higher salary and while I don't have a problem with just a couple of years I've got a real problem with equity if I've got someone who's doing that for 20 years. They're doing the exact same workload as someone who's a senior lecturer and they're getting paid probably two or three times the salary. I don't think people need to be fired, I think they need to have a position commensurate with what it is they're doing. In fact, a number of years ago

we created a faculty title called the senior professor for someone who earned tenure and is now willing to give up tenure, become 2-dimensional rather than 3-dimensional and they can go on multiyear contracts. That's an example. I think there are many different ways that one can do this but I did not anticipate and we have not had a single person fired because of post tenure review. In the entire time that I've known of, and this I can't go infinitely back but in the last seven or eight or nine years we have not had a single person terminated because of post tenure review. What's happened is- there are three different categories of things that have happened: in a couple of cases people have reengaged fully and then the problem goes away, in a couple of other cases they said "I'm getting close to retirement let's get in place a retirement plan. I'm going to retire in five years, here's my letter to do that, stop bugging me" (that often happens), and in a couple of other cases they said ok let me rewrite my assignment so that I can actually get full credit for what I actually do. I can actually get a raise again sometime because I can perform well, whereas under the current criteria I can't perform well, and they have redone their assignment. All three of those have taken place and a few people have just said "ok I'm just going to retire". We've not terminated a single person because of post tenure review but we have made a number of modifications to their positions.

Commentator: Are they forced to be a lecturer?

Respondent: No, no, they can be a senior professor because that's a non-tenure track title. So that's fine. Senior professor is for someone who had tenure and is now willing to assume a non-tenure track title in exchange for whatever it is they have worked out with their department head.

Commentator: Senior role is research and scholarship right?

Respondent: They're doing two out of three and they can pick whichever. We've had people also do research and service and no teaching.

Commentator: This is where we got stuck talking about it before, the difference between 'zero' and doing something.

Respondent: Yeah and the difference between doing 'zero' and something- that 'something' is defined by the faculty in the department.

Commentator: How did a couple of these get deans approval? We have a handful in the Math department.

Respondent: So I can't answer that because that's every dean's opinion. I wouldn't think it would be difficult to get. The reason that's in there is because you don't want individuals to self-declare. It has to be something others approve of as officially valuable.

Commentator: Presently I think the governance of the Mathematics department- department head with the executive committee- works extremely well. I'm just a little bit concerned that the present mode of functioning will not be approved by the dean. In my case, why not get rid of the dean? Why not remove the approval of the dean? Why not remove your requirement that the dean approves it?

Respondent: So the reason the committee put that in there, and I don't feel strongly either way about this, but the reason the committee put that in there is they felt that at least in some cases, they didn't want a department head to be able to just give one of their best friends in the department a free ride. Remember most of the department heads have known a lot of these faculty for their entire careers.

That was, I think, the thinking behind why that's put in there. It's certainly open for discussion whether to leave it in there or not. But that was the thought.

Commentator: Can you address how you make faculty- how you make sure that faculty are treated equitably as far as saying who contributes in limited areas versus those that are not allowed to.

Respondent: I'm not quite sure of your question.

Commentator: If the department head and the dean can decide that they can change the requirements based on contributions of the faculty member and therefore change the expectations, how do you make sure that that is applied equitably?

Respondent: Well-

Commentator: Is there a review process by the Dean of Faculties to make sure that people in similar circumstances are treated the same?

Commentator2: I would say that one of the advantages that I've seen, something I really like is the 'unsatisfactory' annual review triggering the peer review because then if you have a department head who has it in for you, this is a way for your peers to say "no, your department head is full of it".

Commentator3: Alternatively the faculty member, him or herself, can also see that as a useable asset in terms of "well all I need to do to get out of asking is just fail. I'm going to stop teaching, I'm going to stop showing up, I'll get an 'unsatisfactory' and then I'll get realigned." I know exactly what you're talking about. Some will be forced into realignment; some will choose.

Commentator2: I mean it could go multiple ways. It could be given as a favor to someone and not another.

Commentator4: Think about it in another situation. So you said one percent. Let see how much funds and how much time is put into coming up with these rules, applying these rules, versus this one percent. I'm going to say even one percent, this 0.1 percent who might not come up.

Respondent: The process in here is the same as what we're doing already. There's no significant change in process other than many departments may have to tweak their guidelines for post tenure review. That is true.

Commentator: How are you going to be sure that departments meet the minimum here of the university? Also, I wanted to ask, because I think the wording here is a little ambiguous around 2.1. I like to see more straight forward language. When you open the door with "should at the minimum include..." you've given every department the opportunity to say "Well I disagree with you. We have a different minimum, so we're going to use something else" as opposed to saying "must include"

Respondent: I see what you're saying. It was written this way because some departments have a separate post tenure review policy that is independent of their annual review. Some departments have them both together. What this was meant to say is if a department is doing them both together, they may want five or six categories in their annual review settings and they must at a minimum have three to correspond to this. They can have more, but they can't have less. That was what the intent here was.

Commentator: I think I found a statement in here that says "this is the rule that shall prevail..."

Respondent: The other part that you're saying that every department's post tenure review policy along with their tenure policy upon revision has to go to the Dean of Faculties for approval. So they are all approved by the Dean of Faculties who reviews them for consistency.

Commentator: I still want to go back to the point where the comprehensive review has to be officially requested by the department head. I know it's the rule right now, but without any other evidence? Let's say the department head is bullying someone and he requests a comprehensive professional review and the review is fine, it's favorable to the faculty member, but the faculty member already spent energy and time on fighting something when they could have been working to be productive. I really think that there should be more evidence that the department head would have to provide.

Respondent: Let me tell you about a recommended revision that was put forward at a previous meeting. The reason why the one year is in there is so that if a department head believes that a faculty member is starting to not perform they wanted to give them notice early before it gets too far down that road. That has been a comment I think in every discussion, people are opposed to this one year trigger. The proposed revision was, and I'm not saying it has been approved, that is the Faculty Senate's job to approve it, but the proposed revision was at the one year mark what the department head could do is trigger the departmental peer review. That is what would trigger a comprehensive review- only if they failed that. That was kind of an intermediate step that I think was recommended.

Commentator: I think that's a good idea. The other concern is that some departments actually do peer annual reviews. So I am concerned about it being based on the last year and not, say, the last three years.

Respondent: That is actually a problem we have in the current policy as well. Y'all probably didn't see but I wrote a memo to the Faculty Senate, deans, and department head council saying that whatever policy is approved, I would hope that all departments would go back and rewrite their rules if they need to be compliant with the new rule and (this was the big 'and') they must address, if they're using an annual peer review, how that will be involved in post tenure review. The department can choose what the different mechanisms are. I can think of three or four. One could be every third one or every fifth one would be the one that counts for post tenure review. It could be the average of three or the average of five. I don't care. I'm just saying they need to actually state in their policy how their peer annual reviews will count in post tenure review and it's up to the faculty to decide.

Commentator: Will it be allowed, if they are conducted on an annual basis, for one unsatisfactory annual review to trigger...

Respondent: If the faculty in the department say that's what they want that would be allowed. It wouldn't be what I would recommend but I'm going to leave it up to the faculty. I agree, that's not specified in our current policy either and I think that's something that needs clarification. Absolutely. I noticed that in my years as Dean of Faculties that we were running a little bit afoul with that. What was happening in that case, it was everyone just using three unsatisfactory in a row which is also fine. I don't have a problem with that. That's what the departments were all defaulting to.

Commentator: Related to that, the comprehensive professional review can also be initiated upon the request of the faculty member, but a peer review, the faculty member cannot request that. The concern

I have is that when you get the comprehensive professional review the purpose is to identify and official acknowledge substantial deficits. So I say "I suck". Can't I start with a different position?

Respondent: Perhaps the phrasing of that could be done. The reason that a faculty member would trigger it is if for example the department head is giving them really poor evaluations and they think they're doing fine, the faculty members can use the comprehensive review to rebut the department head. That's the goal.

Commentator: What I would prefer is to start it at a lower level, a level that does not assume that there are deficits.

Respondent: Ok. Right. Ok.

Commentator2: Just drop the "comprehensive".

Respondent: Well.

Commentator: Add that the faculty member can request a peer review.

Commentator2: That's what I mean. Yeah.

Respondent2: One point that was made that is interesting, and I don't have the stats but there has been tremendous of non-tenure track, academic professional track faculty just generally in the university and how that does have some impact on the overall dynamics of things. What percent would you say are academic professional track?

Respondent: About 30%. We're much lower than the national average but you would expect that out of research universities. The national average is actually 70% of faculty are not tenure-track and we're about 30%.

Respondent2: Wow.

Commentator: But it's starting to move up isn't it.

Respondent: No we've been very consistent for, I want to say, the last six or seven years.

Commentator: Well recently I've been hearing...

Respondent2: But 30% is high for a research university?

Respondent: No, 30% is pretty typical. I did a very quick assessment of our peers, public peers and they range from about 20-40% of R1's. The non-research universities have a much higher group of academic professional track faculty. So you're right, you're upping them in engineering, but you're also upping the tenure track faculty as well. I'm not sure the percentage is actually changing.

Commentator: The goal is 50/50.

Respondent: Ok. It depends on the college. Some colleges are 90% tenure track other colleges are, I think education is about 50/50. That's the dean in the colleges call. I don't think the university should be dictating that.

Commentator: I have another wording question. It's sort of minor, because it's not really a change. When you go from the current version it says the evaluation ratings can go from 'unsatisfactory' to 'most meritorious'. Now, we pick out 'most meritorious' and we get 'unsatisfactory', 'needs improvement', and 'satisfactory'. It can't be more than that and we're taking out the words that say this annual review process can be used for recognition of merit.

Respondent: Where are you looking at?

Commentator: 2.1

Respondent: Ok

Commentator: 'most meritorious' is scratched out. If I'm reading that and I want to believe that everyone is out to get me, and that this is a process designed to be punitive, that tells me it is. Is there a reason?

Commentator2: I think the department itself should decide where merit lies.

Commentator: I'm just saying that this language lends credence to the view that this is a change designed to be more punitive than positive. That's all I'm saying.

Commentator3: Particularly adding another negative category.

Commentator: You add another negative category and say that two of those categories kick you into another process which technically is not supposed to be punitive? It's supposed to be-

Respondent: Informative, yeah. Right. I think we took the 'most meritorious' out because it has no meaning in the post tenure review process. The post tenure review process is pass/fail. But I absolutely get your point.

Commentator: My colleague from Mathematics argued on 2.2 against redefining overall 'unsatisfactory' as 'unsatisfactory' in any single category. This has got to be something that is new.

Respondent: It is new.

Commentator: My colleague from mathematics argued against that and I'd like to support that for a different reason. As I mentioned earlier, at TAMU libraries, our ranking in librarianship is half of our, 50% of our ranking. That comes from the dean, we have no department head. We only have a dean and there's no oversight and there's no peer review on how the dean rates and ranks us in librarianship. So that I think is a problem because it gives even more power to someone who is a single person.

Respondent: In the library, there is no reason why the peer review committee can't review the same material the dean's reviewing to rank librarianship. Just like in teaching. The department head may assign a teaching value but whatever materials go into that assessment can also go to the peer review committee. It may be true that the libraries are not doing that but there's no reason why you can't do that. I hear what you're saying.

Commentator: Another problem. With the professional development plan. Timelines. It talks about timelines but there's no minimum or maximum.

Respondent: I think they're all longer than a year. I don't think it dictated exactly how long it was because it depends on what the problem was. Some problems are remediate-able in a year. "I'm not going to serve on any committees this year." They got triggered, but that can be fixed in one year. It could be that someone who is struggling in teaching could start taking courses at the Center for Teaching Excellence and really get back into shape in a year or a year and half. For research it takes longer. I don't think there is a minimum or a maximum I think it depends on what the problem is and it depends on the individuals how put the plan together which includes the faculty member to decide what is appropriate. For scholarship in most cases, the couple I have seen, there haven't been very many, have been, on the order of three or four years.

Commentator: I guess my concern is the department head has the most power and could decide one year for research.

Respondent: So it's not the department head's plan, remember. The comprehensive review is done by faculty members outside the department. They work with the dean and department head to put the plan together but it's not the department head's plan.

Commentator: I need to go back to this example because this concerns me. So this example was the experimental physics professor, lost his plans, needs a million dollars to set up his research lab. Will this be provided by the university to get him or her back to research? In some sense I see this also as a commitment of the university to provide the funds to do research.

Respondent: Those decisions are the department heads or the deans. The university never provides funds except at the request of-

Commentator: Let's say an experimental physics professor needs certain funds to run his laboratory. Now the department head says to get back on research so can the faculty member sue the university for not providing the funds? How does this really work? The physicist doesn't have the funds to do his lab, the department head or the dean doesn't provide them because they might have better things to do with the money which I probably agree with. Now they want to fire him or her. Does the faculty have a case in front of the courts to say that the university didn't provide the necessary needs for the research?

Respondent: I'm not going to get into what the court would decide. I think any faculty member can take anything they want to the court.

Respondent2: Your point is extremely well taken. One of the things we're struggling with, and I have a labor and relations background, is if we have a category of 'needs improvement' which is what we're talking about, President Young has committed to development of faculty who are here. The university has put in a lot of money to hiring stars from other places, but at the meeting of the faculty that he had, he did say that he wants to do that. I think from the Faculty Senate's point of view that may be something we can work on. Look, seven million for you, seven million for you, that isn't going to happen. I'd be right there. You're idea of that, if you tell someone they need to improve, we should work with them and try to find funds. I don't know how you operation like that but maybe there is some way.

Commentator: That's an existing role. In part of professional development you identify existing resources to be committed. That's already there. It's now 5.1.6. So the faculty member in that committee would come to some sort of agreement about what those resources were and get the approval of whoever it was that could actually commit those resources.

Respondent2: Perhaps we could set up some sort of a macro grant. I don't know but your point is well taken.

Commentator: So there is a commitment on the side of the university for this.

Respondent2: Yes. Absolutely. I think what President Young said quite articulately was that he wants for faculty to be developed further that are here.

Commentator: I find myself sharing the reservations that many people have expressed about this putting out a task force. Let me first describe what we do in the English department. What we do is very recent. We had a very rigorous annual review process where a faculty committee would look at everyone's annual report and then rate a person and make recommendations to the department head who would be finally responsible for determining an evaluation. We demanded that you be 'satisfactory' in all three categories in accordance with the task force recommendation. However before this recommendation became public, we revised our expectations in the English department because we felt that this was not really an adequate way of evaluating the value of a given individual in the department that would be 'meritorious' in two categories and 'unsatisfactory' in one. What we've adopted is that you get a satisfactory in at least two categories, two out of three. I think I can report from the trenches the effect that this is all going to have. The assumption seems to be that there's what's called a Harmonic of skepticism. The assumption is that most faculty are probably not going to have a chance. Instead of finding a case that rises to the surface and is so glaring that it calls for action, we're going to go in there and see who we can clear out. I'm not accusing the task force or the administration or proceeding with that assumption but that's the way it looks, especially to younger faculty who are very conscious of the law of unintended consequences. This gives the university an enormous amount of power. As you pointed out, we've done away with the category of 'exceeds expectations'. It kind of troubles me. I mean, is there a real problem here if it's one percent as somebody pointed out are we expending out an enormous amount of time and energy to find that one percent. The younger people are running scared. I've been here since 1977 and there have been ups and downs but this is extremely unfortunate. I know it's a national thing, adopting a kind of consumer production and all, but rightly so my younger colleagues are scared. I'm an old man, I got my shop quota this year, that's really what we're talking about see. I fulfilled my shop quota. I'm an old man, now if they decide to get me I'll probably be dead before they can and I'm still productive. What does this mean for someone that is younger? That have a kind of social Darwinism mindset. Survival of the fittest. There's only so many pieces of pie. Many of them are frightened.

Commentator2: I'd like to follow up on something you said. Academic is actually my fourth career. For over twenty years I was in industry, government, and the military. What I really like about academic, it wasn't popped down. You could come in and excel in what you're interested in. Studies have shown that the average faculty puts in about 55 hours per week on the job. I remember when I was in government, at 4:30 every guy in that building was out faster than a fire drill. Here people stay weekends or late because they like what they're doing. Sure there are some people on one end of the curve who take advantage of the system but overall studies have shown, we're more productive than pretty much any industry. I agree with you I think we are focusing on this one percent who are taking advantage of the system while the vast majority are putting in more.

Commentator: It's the assumption that somehow we have to prove that we're honest. We have to prove that we're professional.

Commentator2: You know where it's coming from. As you cut down funding for universities, you get more micromanagement from the legislature. As state funding goes down we have to raise tuition and then we get blamed for it. To me that's a big problem.

Respondent: One of the things I'd like to hear from the group, is this fundamentally an issue of reasonable or unreasonable expectations? Or it is a lack of trust in those who evaluate us? Which one of those? I hear one of those talked about more than the other in many of these discussions.

Commentator: I think I am not trusted by the people who want to judge me. I think there is a third one. I think we are spending much more time in evaluating people that we would save by picking out people who don't do well. I think it is very unbalanced. Look how much time was already spent only on these four pages. It's a mismatch. I think, as you said, people doing their job very well. Most of us do our job very well without any supervision.

Commentator2: How much of public perception drives this process?

Respondent: Can I address that from a different direction? First of all, it is state law, we have to have post tenure review. That's just a given, we can't argue that one. I'm going to say that because we've had a moderately robust one in the past, the provost has been able to use this to push back the board of regents from implementing their own kind of reviews. If you remember the big black red spreadsheet that our former chancellor put in place, she was able to go up and say 'this is completely absurd you don't even know how to evaluate... We're evaluating every faculty member on all these criteria and 99% of them are doing great.' So she was actually successful in pushing them back from implementing other kinds of reviews that they might have wanted to put in place, because she made the argument that we are actually doing a much better job than they ever would do. Likewise, I know people get really upset over the departmental report cards, but she has been able to use that as ammunition as well to tell the regents "stay out of our business". She, the provost, is evaluating every department, every year. She knows exactly which ones are doing well. She actually brought a few out without a name on it and said "Here's an example of a department that's doing great, here's an example of a department that's doing fine, and here's an example of a department that needs improvement. Look at how I'm looking at them all." Then they're going "Yep, looks like you're doing a good job evaluating them on your own we're going to stay out of your business. That shouldn't be driving this process, and I don't what that to drive this process I'm just saying that she has used this to push back on other initiatives.

Commentator: The point I'm trying to make is this thing won't magically go away. We have to have this in whatever form.

Commentator2: I don't think anybody disagrees with that and most people know that it's a state law and they understand that. I think some of the concern and it ties back on both sides to what you said is that there is a change to the annual review process that's imbedded in us. Because of adding the category 'needs improvement', that's causing confusion about what does that mean because we had voted as a department what 'satisfactory' and what 'unsatisfactory' is. So now we've got another negative category that we have to come up with. It's different if you say 'goes to zero' that's different and that's easy to say 'unsatisfactory' but if they're not at zero then where do you draw the line at 'needs improvement'? So part of it is just distrust of the administration on how this can be applied and misapplied, but part of it is inherent just how do you come up with these terms to begin with? I don't think that faculty across the university understand that they have the ability and responsibility to come up with these guidelines.

I think a lot of times that administrators just do it for them, sometimes the dean's office does it for them or says "here are the rules, y'all approve them". I think there is some concern about that too and I think Faculty Senate is going to have to take a very active role in making sure the departmental faculty know that they can decide what 'satisfactory' and 'unsatisfactory' is.

Commentator3: I think one of the big changes in the rule is the addition of 2.2 which defines what that overall unsatisfactory rating was. Previously it was up to the department to define what unsatisfactory was. It says there was tremendous variability, some departments treated it immediately some departments it was three years and I think this goes to that idea that just as a professional development plan, the sooner you can help somebody the sooner they can get back on track perhaps.

Commentator4: I have been in that position of stepping into department head with faculty who have been unsatisfactory for two or three years in a row and nothing has been done. Yes, this applies to one percent but when you have that one percent in your department, it's really nice to have rules to back you up. You have to have a process and I think this one in some ways is a little more preemptive, because of that 2.2 we can address the problem and encourage resignation or retirement or we can remediate and get them back to productive people.

Respondent: Or reassignment of duties. I do want to say none of these are being driven by the provost or by me. In fact, had I written this rule without the taskforce it would be quite different. This is a reflection of what the taskforce put in place and I felt obligated to put their recommendations in here for revision. That's why we're doing the open forums. I fully anticipate this is going to get further revised.

Commentator: To address the morale issue. If there's a morale issue among the senior faculty that seems to imply a lack of communication. This has been communicated in a way to explain what the purpose of this is. In our college, in Geosciences, I haven't heard anybody even mention this. I don't think this is a morale problem for us but if it is that means it hasn't been communicated in the proper light as to what the need of this might be.

Commentator2: Well I'm in Liberal Arts, we don't communicate very well.

Respondent: You have a whole department of it!

Commentator2: No, I think you're absolutely right. Your point is very well taken. I think most people are in the dark about this and there's a lot of apprehension based on a lack of communication.

Commentator: If all you get is an email that says this is being done, but you don't know what the context is.

Commentator2: They're looking 10 years ahead. You know, I'm not 40 years old. If I was 40 years old and had a young family, and I saw what was happening I'd be on the edge of my seat. This is really cost accounting and I've used the term before, especially towards research, a shop quota. You know? Did you make your production quota this week? In our department we expect a certain number of publications every three to five year period, a book or its equivalent. It's becoming increasingly difficult to find a publisher the academic press is following, all that is becoming more and more difficult to do. The process of ranking journals... so you publish two articles in the same year but which articles count and which don't? How many referees do you use? I mean it gets to that point where we're quantifying things

and never really looking at the quality of the mind and the lasting value of the work. This is not what I think the institution is about. It may not be our fault, I think the whole culture is shifting and the university is going to reflect that.

Respondent: Your point is well taken. It's a global competition. You know a lot more about this than I but one thing we always think about is the University Libraries were measured by the size of our collection was, and today that's less important. It's nothing against the libraries but we have all these online resources it's just a global competition. Any school that has the internet can have access to lots of different things.

Commentator: I just want to answer the question that, John, you posed. I would say for the libraries, the answer would be the second one. A lack of trust in the single person who is evaluating us in librarianship and I think a very eloquent piece of evidence is the climate survey that we did in the fall of 2015, last fall, which found that the 88 faculty at TAMU libraries rated procedural justice less than 4 on a seven point scale. That's after the 11 tenured and tenure-track faculty that have left in the last 3 years in large part because of procedural justice.

Commentator2: I just wanted to respond to a few things that have been said. When you said that in academia that there is no 'top-down', yes, when I got into this and I got my PhD in 1974 that was true. Over the years at Texas A&M and I've been here since 1988 I watched that become less and less true. It's much more hierarchal than it was and part of it's driven, I'm told, by agencies, part of it by the regents and the legislature. For example, all these questionnaires that we have to send now to the graduating seniors every year and the departments are expected to rise them every year because otherwise it is interpreted that you are not taking it seriously. This task force replication, this is one more hierarchalization, another set of rules that we have to follow. I think increasingly in academia there is a 'top down' and I think faculty need to resist- and *I mean need to-* for their own good as well as for the good of the intellectual community. RESIST.

Commentator3: I would agree but it's worse in industry.

Commentator4: A comment on student evaluations. I understand in Promotion & Tenure it's more than faculty teaching, there are several layers but in this post tenure process I think it's easier and it can really hurt certain faculty members due to biases. Having that one anticipatory category which could be a low teaching evaluation, lower than average in the department, could trigger a process for a faculty member.

Respondent: Just one comment on faculty evaluations and I've got you beat, I've been here 43 years.

Commentator: I know you told me that but I don't believe it.

Respondent: It's true, I'll give you my resume. One thing that bothers me is I've sat on numerous committees that considers student evaluations and they come up with an average evaluation. They average effectiveness of the instructor, was the instructor available, do I like the textbook, I mean things that are totally irrelevant to teaching are averaged together. I agree with my colleagues comment, if you get real good evaluations they raise suspicion. If you get poor ones, "let's figure out how to run this guy off". I think we are our own worst enemies in allowing this type of thing to continue. The other thing is, this put a lot of emphasis on faculty becoming involved and spending time evaluating their colleagues. With the reward structure here, this kind of service doesn't rise to the top in terms of rewards. I

recognize that there are some market forces here. We've got some real issues here. My concern is, where do we go from here? This is our fourth forum, I believe the highest number of people that attended previously was seven. It bothers me, and I just stepped down as Speaker of the Senate, that the comment is made that people aren't aware of this. I think that's true. We've tried to make people aware and we're going to go through another iteration I assume in coming up with another proposal that will be circulated and I encourage each and every one of my colleagues in the room, get your colleagues to read this and react. For example, on department heads, the feedback I received as speaker, the most has been on the ability of a department head to cause a review. This is an opportunity for us to not just consider the changes that are being made but the entire rule itself.

Respondent2: I think as people are reading it, they become concerned about what's going on. Out of sight, out of mind. It's not being used so the end result is they forget about it.

Commentator: I just want to talk about rules for faculty who are program-program with no head. They were hired into programs. What do we do if they're hired into programs, they don't have a department head.

Respondent: Define programs.

Commentator: In Liberal Arts, we have Women's and Gender Studies and we have Africana Studies. There are faculty who were hired into two programs. In their cases, who does all these things?

Respondent: It is along the same lines for what would happen for Tenure & Promotion. For most faculty, they have a primary appointment in one that is what's used for Tenure & Promotion time and that would be the case here. There are a small number of faculty who are truly 50/50, and then usually it's either specified in their letter which one is responsible for their review or in a few cases they are reviewed by both. There's not many people who fall into that category, just a few. In most cases there is a primary appointment and a secondary appointment and it's always the primary appointment that's doing it.

Commentator: For me, in my department, we evaluate teaching only using the student evaluations and I don't like what are in those student evaluations. I have been here for seven years asking the different department heads to use different things. There is extensive research talking about bias in the student evaluations. What's happening is only effecting me it's not effecting the majority so they tell me "sorry you're the only group with bad evaluations". I think I teach a very difficult class. Not for me but the students find it difficult, it's genetics. We talk about evolution. There are other aspects too, my accent for example. For me, what is the effect of this? The worst possible outcome I'm going to have is an overall 'unsatisfactory' when 'unsatisfactory' in any single category. I'm going to have an unsatisfactory in teaching because they are only using that number. In both- Tenure & Promotion, the P&T Committee and the department head only use that number. This is a personal situation for me but I imaging that could be happening to other people too.

Respondent: I think that's something we should pay attention to. Just because someone has the lowest ranked teaching evaluations in their department doesn't mean that's unsatisfactory. I think in most departments the teaching is satisfactory but by definition someone is at the bottom. That's not necessarily a problem. I completely understand and I completely agree with you. I know that student evaluations have a strong bias to them. It's absolutely true.

Commentator: One of the messages that I always here is I need to improve in teaching. So what is the expected outcome? "You need to improve the students' evaluations." So are we going to now have a comprehensive professional review? Are we going to expect now that suddenly I am going to improve the student evaluations?

Commentator2: You can go to the Center for Teaching Excellence and get a peer review.

Commentator: I have taken so many workshops with them.

Commentator2: No they come into your classroom.

Commentator: I already did that. I have a review that says that the person that was evaluating had a student that was complaining about my accent and that's why he didn't understand anything. The person wrote that she was able to understand me, she didn't see any problem. She put even "my husband has a worse accent". No matter, at the end of the day this is what is used. I will get and 'unsatisfactory' in that so at the end of the day for me it is only about 2 categories. I already have one that I know is going to be bad.

Respondent: Len, I think that an important action item, at the end of these forums, you can your colleagues in the EC sit down with me and identify a series of points for discussion that I can take forward to the Steering Committee for preponderance and so that we can get these kind of conversations going about the importance of evaluating teaching and other things we have talked about. I can take those forward.

Respondent2: Thank you. Also, I think you made a really good point about how we need to be proactive. There is state law that says we have to do this, and then we have to compromise on how to do this. I am committed and we are committed on the Faculty Senate to take care of this as best we can. I promise we will do the best we can with that.

Commentator: I think no one disagrees that we should have a post tenure review process, we just want to make it fair and reasonable.

Commentator2: I would encourage each of you to go and look at your departmental guidelines for what is listed for annual review and see if you can tell from your departmental guidelines what satisfactory and unsatisfactory is and then engage in those discussions in your department.

Commentator3: Another thing that strikes me from my perspective at the libraries. If you look at section 1.2, "a comprehensive professional review will be conducted by an adhoc review committee unless the faculty member requests it be conducted by the department head." Well in our case the department head is the dean. "The three members of the adhoc faculty review committee will be appointed by the dean." Isn't there obviously a problem with this if you dean and department head are the same person? He's giving you the rating in librarianship and then he's appointing the adhoc committee to review it.

Respondent: In consultation with a faculty member. If there is a problem there you can go to the Dean of Faculties to review it. The idea is neither one party has complete say. Where there is a disconnect, I would hope the Dean of Faculties would be involved in resolving that.

Commentator3: Thanks so much for your reassurance and actually it's not all that reassuring to me because it just says "in consultation". I don't know how that in consultation is going to turn out. Maybe

in the end my dean can appoint all three members of the committee. There's nothing in here that tells me that that would be prevented. From the point of view of the library, this makes no sense at all. Obviously that's not the intent but it won't work at all.

Moderator: You do have recourse. You have the OMBUDS officers, you have the Dean of Faculties. Maybe in your case because the dean and the department head are the same person that's a bit of a concern but I don't think the rule as it is written for most faculty would be unreasonable. You have recourse.

Commentator: But that topic has been brought up a number of times at the other forums I think that's one of the topics that has been brought up before and I think that clarifying how that would happen and what the recourse is... just putting that clarification in there would delay concerns. If you say "you can go to the Dean of Faculties under any disagreement" it would help.

Respondent: That's been the language for years. I think a lot of this rule could be rewritten but when I put in the changes I only put in what the taskforce recommended. Other than that it's whatever was approved before. There's absolutely no reason why you can't recommend other changes.

Commentator3: Recourse is great, but recourse is not a guarantee. It's a possibility. In our case where the department head and the dean are one in the same person, one aspect of that is, if you're in a teaching department and those two people are different then it's a completely different dynamic. The dean might be sympathetic to you, there's no such possibility for us.

Moderator: Thank you all for coming today. We appreciate your input. If you think of something when you get back to your office or after you sleep on it or don't sleep on it tonight, send us an email and let us know your concerns.