

RE: Comments from Dean Scoufos and all Department Chairs to the Faculty Senate's Proposed Post-Tenure Review Policy

The Executive Committee and the Personnel Policies Committee of the Faculty Senate carefully reviewed and discussed all submitted comments. These discussions took place over the course of four meetings held in April, June, and July of 2014. The comments prompted several points of clarification and changes in the policy. The following changes were made: altered the policy timeline, clarification of the "random" selection process for members of the faculty review panels, specified the selection process (by panel vote) of the review panel chair, added a process for conducting post-tenure review of department chairs, condensed and specified the documents included in review packet, clarified the composition and replacement of appeals committee members, subsumed category 4 (non-teaching and administrative duties) under the category of *service*, and clarified the distinction between the promotion process and post-tenure review.

Substantive changes to the policy were made as follows:

Section 1.1

- Phrase "actively participate in shared governance" was added to the last sentence of the first paragraph.
- "and Professional Development " was dropped from paragraph 2 sentence 2.
- The following sentence was added after paragraph 2 sentence 2: "While the annual reviews recognize a fourth category (non-teaching or administrative duties), for purpose of the post tenure review these activities would fall under the category of service."
- Clarified paragraph 2 sentence 4 by adding "annual review"
- Added the date on which the Faculty Senate endorsed the principles for post-tenure review (1-10-2011)

Section 1.2

Bullet point 1:

- Sentence 1 revised to: "The Dean of Instruction will maintain **and post a three year** post-tenure review calendar. . ."
- Revised the second sentence to read: "By September 15th each year, the Dean of Instruction will inform the department chair and the departmental faculty of the need to conduct a post-tenure review."
- Added "The chair will make a formal request of the faculty member to prepare a post-tenure review packet."
- Added "In regard to the post-tenure review of department chairs, the role and functions of the department chair, as described herein, will be performed by the Dean of Instruction."

Added new bullet point 2:

- “The post tenure review packet is to be submitted by the faculty member to the chair of the department by the end of the first week of class in the Fall semester in the same academic year as the request.”

Bullet point 3 (which was bullet point 2 in the previous draft):

- Inserted the sentence: “The currently serving department chair shall not serve on the panel.”
- Sentence 2 revised to: “The department chair will form the panel by a random selection process **in the presence of the faculty member...**”
- Final sentences revised to: The department chair will notify the panel members of their selection by **the end of the fall semester**. The senior member of the panel **will call the first meeting of the review panel. The panel will elect its chair at this meeting.**
- Corrected the number of faculty on the review panel from three to five: “The selection process will only extend to the department or school level if there are fewer than **five** tenured faculty in the discipline/program or in the department, respectively.”
- Deleted original bullet point 3

Bullet point 4

- Deleted the first sentence
- Changed “portfolio” to “packet” throughout document.
- Revised the required documents list: deleted *student evaluations* and *peer reviews of teaching*
- Added the phrase “**during the period covered by the annual evaluations.**” to specify the time period covered in the *concise summary*

Bullet point 5

- Added: **While the annual reviews recognize a fourth category, (non-teaching or administrative duties) for purpose of the post tenure review these activities would fall under the category of service.**
- Revised date from December 1 to **March 1**

Inserted new Section 1.2.1

1.2.1 Post-Tenure Review versus Promotion in Rank

Post-tenure review is a process distinct and different from promotion. A satisfactory post-tenure review should not be construed by a faculty member as having met the requirements for promotion in rank. Promotion policy and requirements can be found in APPM section 4.5.

Section 1.2.1 was re-numbered to **1.2.2**

- Revised dates: December 1 to **March 1**, and March 1 to **April 1**
- Deleted **Dean of Instruction** from 2nd paragraph

- Added sentence **“The Dean of Instruction may opt to attend the meeting. [In the case of a successful appeal (as described in 1.3), this meeting will occur after the conclusion of the appeals process.]**

Section 1.2.2 re-numbered to 1.2.3

- Inserted APPM 4.4.3 reference to bullet point 3
- Revised dates: from December 1 to **March 1**; and from February 1 to **April 1**
- Revised Professional Development Plan sentence 3 to: **“The plan will include goals, timelines and institutional resources necessary available to support the plan.”**
- Added: **“In the case of an unsuccessful appeal, this meeting will occur after the conclusion of the appeals process and by the end of the semester.”**

Section 1.3

- Revised dates: from February 1 to **April 1**; and from March 1 to **May 1**
- Bullet 2 inserted sentence: **“The committee that hears and decides the post-tenure appeal must consist of at least seven faculty members.”**
- Sentence 2 revised to: If replacements are needed to fill the seven member committee, they will be selected from the faculty by a vote of the Faculty Senate Executive Committee.
- Deleted last sentence of bullet point
- Bullet point 3 deleted first sentence
- Inserted **“Committee members shall not be permitted to abstain.”**
- Deleted: **“In the event of a tie vote, the decision will be to not affirm the review panel’s decision.”**

Section 1.4

Bullet point 2

- Sentence 2 revised to: The panel will consist of five tenured faculty, selected randomly by the department chair **in the presence of the faculty member** according to the disciplinary proximity schema set forth in 1.2.
 - Sentence 3 revised to: **“The most senior member of the panel will call the first meeting and the committee will elect a chair at this meeting.”**
 - Inserted: **“Committee members shall not be permitted to abstain.”** Deleted: **“In the event of a tie vote, the decision will be to not affirm the review panel’s decision.”**
 - Inserted: **“Upon completion of the review process a new three-year review cycle is begun and the Dean of Instruction’s calendar should be updated.”**
-

In addition to changes in policy the committee addressed each set of submitted comments. For simplicity, similar issues raised by comments are grouped for response.

1. **Comments about creation and use of Guidelines / Rubrics or other common assessment criteria:** The committee did not address the issue of departmental criteria in the policy. The policy allows individual departments to establish appropriate guidelines for their individual disciplines.
2. **Comments related to changing the language in RUSO policy and AAUP standards:** Both the relevant RUSO policy and AAUP standards are stated as they appear in the original documents. It is not within the purview of the committee to make changes to these documents.
3. **Comments related to changing the language in Faculty Senate endorsed principles:** While the committee can request that the Faculty Senate make changes to the endorsed principles, such changes would require presentation and a vote of the Senate. Therefore, it was determined that the recommended changes were outside the purview of the committee.
4. **Several comments stressed the need for a focus on teaching:** While the committee agrees that teaching is the a primary responsibility of the faculty, in the absence of a currently accepted practice or methods for the evaluation of teaching and in light of past problems related to the practice of teaching review at the university, it was felt that additional emphasis on teaching was problematic.
5. **Several comments addressed the criteria for receiving an unsatisfactory review (specifically, requiring an *unsatisfactory* rating in two categories in order to warrant an *unsatisfactory* overall rating):** It was felt that this was a sufficient bar for the determination of an unsatisfactory rating. However, even in the event of a *satisfactory* review there is opportunity for the faculty member to receive recommendations for improvement from the review committee, chair and Dean of Instruction.
6. **Several comments expressed concerns about the annual reviews process:** The process of annual reviews is not addressed by this policy. The committee recognizes that need to review and revise the current policy and practice of annual review. However, revision of the annual reviews is outside the committee's current task. It should be noted that the Faculty Senate Personnel Policies Committee has been charged with addressing issues with annual review as they relate to faculty.
7. **Comments related to non-tenured faculty:** This policy does not address non-tenured faculty.
8. **Comments related to Promotion and Tenure:** This policy is not intended to address tenure and promotion of faculty. A statement was added to the policy to clarify the relationship of post tenure review to promotion.

9. **Comments related to the use of the policy to dismiss of faculty:** (1) Reasons for the dismissal of faculty are found in section 4.6.7 of the APPM. The mechanisms for the dismissal of faculty are addressed in sections 4.6.8. and 4.6.9 (2) The purpose of this policy is developmental not disciplinary and punitive.
10. **Comments related to the complexity of the process:** Post-tenure review is a complex process. The committee has attempted to address some broad and complex issues in a manner that appropriately protects faculty members without excessive verbiage or steps. Additionally, since this is a new policy, it is recognized that modification may be necessary to ensure the policy operates properly and fairly, and steps for review and revision are built into the process.
11. **Comments related to the involvement of the Academic Council in the policy development process:** APPM section 3.5.1.1 states the function the Academic Council is:

The function of the Academic Council will be to act on all recommendations submitted by the Graduate Council, Curriculum Committee, General Education Committee, Computer/Technology Committee, and Faculty Senate. The Academic Council will consider and make recommendations concerning any academic matter which is not an assigned function of another committee. The Academic Council will also function as an “academic matters” sounding board for the general teaching faculty and the administration.

Following the “Policy to Modify the Academic Policies and Procedures Manual” in the APPM Preface, the post-tenure review policy proposal that was approved by the Faculty Senate on October 10, 2012 was forwarded to Academic Affairs for consideration. It should be noted that the proposal was created as a joint effort of the Executive Committee and the Personnel Policies Committee at the request of VP McMillan, and was part of the follow up from the Post Tenure Review Task Force. Although post-tenure review might be considered an “academic matter” (in the sense of the *academy* rather than as a strict matter of academics), post-tenure review was made a specific ongoing charge of the Personnel Policies Committee (by amendment to the APPM, announced to the general faculty via an e-mail from Bryon Clark on May 11, 2012), and the Academic Council function statement describes the council as considering and making recommendations on matters which aren’t specifically assigned to another committee.

12. **Comments about the speed of the policy development process and involvement of faculty in the development process:** This policy has been in development for over three years, and the committee has solicited and addressed input from regular faculty, chairs and administrators multiple times over this time period. For those unfamiliar with the work related to this policy development, a timeline for the development process has been attached.
13. **Comments related to level of involvement of the Dean of Instruction in the post-tenure process:** (1) Per APPM 4.4.2.1 “A completed ‘Faculty Development and Evaluation Summary’ for each full-time faculty member is submitted by the department chair to the respective dean of

the school for review. The dean of the school reviews the evaluation, provides comments, and signs the instrument. The dean of the school keeps a copy in the dean's office and sends a copy to the department chair and a copy to the faculty member." Thus the Dean has input with regards to the annual reviews at the core of the process. (2) The Dean assists the chair in the creation of a professional development plan in the event of an unsatisfactory review. (3) The Dean has to option to sit in on meetings of chair and faculty even in the event of a satisfactory review. (4) The purpose of the policy is developmental, not disciplinary. Should the Dean find the performance of a faculty member has substantial or repeated failures in their duties, APPM sections 4.6.7 and 4.6.9 provide mechanisms by which the issue can be addressed.