# Collegial Review Council 2014-2015, Resolution 3:

# Bringing Post-Tenure Review Policies and Procedures (Sections 4.04 and 4.08 of the Faculty Handbook) into Compliance with June 2014 Changes in UNC Policy

WHEREAS the Board of Governors of the UNC System voted to change UNC Policy and Guidelines on Performance Review of Tenured Faculty (The UNC Policy Manual 400.3.3 and 400.3.3[G]) at their June 20, 2014 meeting; and

WHEREAS the UNC Policy changes include the establishment three assessment categories (exceeds expectations, meets expectations, and does not meet expectations); that each faculty member establish directional goals which include milestones for the five-year review period to be used in annual faculty evaluation and post-tenure review; and that the Deans must provide an evaluative review in addition to the review conducted by the peer review committee and the department head; and

WHEREAS all UNC Institutions Post-tenure review policy must be in compliance with these changes by the 2015-2016 academic year; and

WHEREAS the purpose of post-tenure review is to support continuing faculty development, to promote faculty vitality, and to encourage excellence among tenured faculty; and

WHEREAS the newly required directional goals should provide context for this cumulative review rather than serve as additional criteria for evaluation; and

WHEREAS the Collegial Review Council believes that deference in Post-Tenure Review decisions should be given to the faculty committee; and

BE IT RESOLVED that

a) Section 4.04 of the Faculty Handbook be amended as follows (the new language is in **bold, underlined type**, changes since the first reading are in **bold green underlined** type, and deleted language is in ~~red and is struck through~~):

## 4.04 Western Carolina University Collegial Review

### B. Types of Review

4. **Post-tenure review**. The purpose of post-tenure review (PTR) **is to support continuing faculty development, to promote faculty vitality, and to encourage excellence among tenured faculty. Each faculty member presents material for review that includes the four most recent annual faculty evaluation summary statements, the most recent set of directional goals, and a current curriculum vitae. The faculty member may include a brief reflective summary to provide context (departments will determine the length and depth of this summary). Evaluation committees, department heads, and deans assess** ~~is to determine~~ the extent to which tenured faculty members have exceeded, met, or not met the department ~~criteria for teaching, service, and scholarly/creative contributions~~ **post-tenure review criteria** in the five years since the last TPR/PTR action.

And

b) Section 4.08 of the Faculty Handbook be updated to read (with changes since first reading in **bold red underlined type**):

## 4.08 Post-Tenure Review

### A. Overview

#### 1. Purpose

Post-tenure review (PTR) is a comprehensive, formal, periodic evaluation of all tenured faculty. The purpose of this review is to support continuing faculty development, to promote faculty vitality, and to encourage excellence among tenured faculty. This is achieved by recognizing and rewarding faculty performance, offering suggestions to enhance performance, providing a clear plan and timetable for improvement of faculty members whose performance does not meet expectations, and providing for the imposition of appropriate sanctions for those whose performance continues not to meet expectations. Post-tenure review shall be consistent with the UNC Policy Manual Section 400.3.3, Performance Review of Tenured Faculty, and the University of North Carolina Board of Governors' policy of giving teaching primary consideration.

#### 2. Faculty to Be Reviewed

Post-tenure review shall evaluate all aspects of the professional performance of faculty, whose primary responsibilities are teaching, and/or research, and/or service[[1]](#footnote-1). If faculty responsibilities are primarily only to one or two of the areas of teaching, scholarship, and service, then post-tenure review and resulting recommendations should take this allocation of responsibilities into account. (UNC Policy Manual 400.3.3.1 [G]-5)

#### 3. PTR Timetable

A tenured faculty member may elect to undergo PTR during any academic year. Faculty for whom PTR is required must undergo a review no later than the fifth academic year following the most recent of any of the following review events: award of tenure or promotion at Western Carolina University, prior post-tenure review, or return to faculty status following administrative service (UNC Policy Manual 400.3.3.1 [G]-2). Candidates who are denied promotion in the required PTR year must submit PTR materials no later than the following academic year. Exceptions shall be made in the following cases: 1) when on leave from duties, that period shall not be included as part of the five years between mandatory review events and/or 2) when temporarily assigned to duties away from Cullowhee/Asheville during the period of a required review, PTR occurs upon return. In the event of serious illness, childbirth or other compelling reasons, the PTR timetable may be extended by the Provost (see APR 4 at <http://www.wcu.edu/about-wcu/leadership/office-of-the-provost/resources-for-faculty-and-staff/academic-procedures-and-regulations/index.asp>).

### B Review Materials and Process

All Post-Tenure Review procedures must be in compliance with UNC Policy and Guidelines on Performance Review of Tenured Faculty (UNC Policy Manual 400.3.3 and 400.3.3[G]). The provost must annually certify that all aspects of the post-tenure review process are in compliance with this policy and these guidelines. Additionally, UNC General Administration will conduct a review of the post-tenure review process every three years in compliance with UNC Policy Manual 400.3.3.1.

#### 1. Review Criteria

Criteria for post-tenure review are established by departments and included in the Departmental Collegial Review Document (DCRD). Demonstration of professional competence, conscientious execution of duties–taking into account distribution of workload as developed by the department head–and efforts to improve performance with regards to departmental criteria should be considered the basic standard for meeting expectations[[2]](#footnote-2). Faculty performance shall be examined relative to the mission of Western Carolina University and that of the college and department of the faculty member (UNC Policy Manual 400.3.3.1[G] 3.).

Faculty performance that exceeds expectations, as determined by the department, should involve sustained excellence in teaching, scholarship, and service. Faculty performance that does not meet expectations, as determined by the department, should involve substantial and chronic deficiencies in the faculty member’s primary responsibilities. In the case that a review level finds a faculty member does not meet expectations, the written evaluation shall state the faculty member’s primary responsibilities and describe the performance deficiencies as they relate to the faculty member’s assigned duties and established goals.

#### 2. Materials to Be Submitted for Review

At a minimum, a faculty member being reviewed will provide a current curriculum vitae (CV), the four most recent annual faculty evaluation summary statements from the department head, and the most recent set of directional goals[[3]](#footnote-3). The faculty member may include a brief reflective summary to provide context **(departments will determine the length and depth of this summary)**. Departments may require a faculty member to add additional materials as directed by Departmental Collegial Review documents.

At the beginning of each post-tenure review cycle, the faculty member shall propose or revise a set of directional goals which will be considered in the post-tenure review. These directional goals shall be approved by the department head. Directional goals can be modified annually by the faculty member, in consultation with the department chair, as deemed appropriate by changes in institutional, departmental, or personal circumstances. Directional goals should include milestones that will be incorporated into annual performance evaluations. (UNC Policy Manual 400.3.3.1[G] – 6)

Directional goals should not be a basis for evaluation of a candidate for post-tenure review, but should provide perspective and a framework for goals and accomplishments of faculty members during the post-tenure review period.

In the event that a faculty member and department head cannot agree on a set of directional goals, and that disagreement is alleged to result from violation of law, or a university policy, regulation or rule, or commonly shared understandings within the academic community about the rights, privileges and responsibilities attending university employment the faculty member may grieve this stalemate through the Faculty Grievance Policy and Procedures given in Section 4.10.B.

#### 3. Departmental PTR Committee

Each department or academic unit establishes a PTR Committee (with a process approved by the departmental faculty) with at least three tenured departmental colleagues, excluding the department head. Whenever a department finds it impossible to form a committee containing at least three tenured faculty, the matter will be referred to the Provost. The Provost, with the approval of the tenured faculty of the department and the dean of the college, will, by selecting tenured faculty from similar departments, constitute a committee of three tenured faculty for the department. Faculty members being reviewed are not permitted to select a member of the committee. However, this does not preclude such faculty members from voting on committee membership along with their colleagues.

#### 4. Review Process

Performance to be reviewed is limited to the five years preceding review or to the period subsequent to the prior review event, whichever is less.

1. At the beginning of each academic year, the Provost distributes a collegial review calendar which includes post-tenure review deadlines.
2. The department post-tenure review committee meets after reviewing the faculty member’s materials within the time frame established by the Annual Post-Tenure Review Calendar dates issued by the Provost. The committee shall present its written evaluations as to the extent to which the faculty member meets the post-tenure review criteria to the department head, along with a record of the committee vote.
3. The department head must consult with the post-tenure review committee. The department head shall then append his/her evaluation of the candidate to the committee’s evaluation. The department head will communicate in writing to the faculty member, the Dean and the committee and in the event that his/her final assessment of the candidate differs from the departmental committee’s, the department head should state explicitly the reasons for this difference of opinion.
4. The department head shall provide a copy of both of these evaluations to the faculty member and shall meet with the faculty member to discuss the review. The faculty member then has the option of attaching a written response within ten (10) working days of receiving the reviews. When a department head is reviewed, the dean shall perform the roles ordinarily performed by the department head.
5. After reviewing the faculty member’s materials, the dean must consult with the department head who shall present both written evaluations to the dean, along with any written response from the faculty member. The dean shall then append his/her evaluation of the faculty member with respect to the extent that they meet the post-tenure review criteria. In the event that the dean’s final assessment of the candidate differs from the departmental committee’s and/or department head’s assessment, the dean should state explicitly the reasons for this difference of opinion.
6. The dean shall provide a copy of his/her evaluation to the faculty member in writing. The faculty member has the right to grieve the dean’s post-tenure review evaluation within twenty-one calendar days from receipt of the evaluation, in accordance with the Faculty Grievance Policies and Procedures of Section 4.10.B.
7. If the evaluation of the committee, the department head, and the dean differ, the final outcome of the process will be determined by the majority opinion of the three evaluations Should all three evaluations differ, the final evaluation will be that the faculty member meets expectations.
8. The three written evaluations (PTR committee, department head, and dean) and any written response from the faculty member will be sent to the Provost for information.

#### During this process, the faculty member is to be informed, in writing, of the evaluations at each level of review within 5 working days following the completion of each evaluation.

#### 5. Outcomes

When the outcome of the post tenure review is that a faculty member exceeds expectations, results are documented for university award and merit pay decisions, and to recognize and reward exemplary faculty performance (UNC Policy Manual 400.3.3.1.a.(1)). **In addition, suggestions to enhance performance may be provided.**

When the outcome of the post-tenure review is that a faculty member meets expectations, results are documented. In addition, suggestions to enhance performance may be provided.

When the outcome of the post-tenure review is that a faculty member does not meet expectations, the department head, in consultation with the faculty member, PTR Committee, and dean of the faculty member's college, will create a three-year development plan within one month of the review. The plan shall include (1) a statement of the faculty member’s primary responsibilities and specific descriptions of shortcomings as they relate to the faculty member’s assigned duties and the directional goals established; (2) specific improvements to be accomplished within three years, (3) resources to be committed to the improvement efforts, and (4) other support provided by the administration (UNC Policy Manual 400.3.3.1[G].11-12). If duties are modified as a result of a less than satisfactory rating, then the development plan should so indicate and take into account the new allocation of responsibilities. The department head and PTR committee will monitor the faculty member's progress relative to the development plan and provide verbal and written feedback to the faculty member semi-annually. The development plan and the written feedback are to be copied to the Dean and the Provost. In the event of serious illness, childbirth or other compelling reasons, the PTR development period may be extended by the Provost through a university process established, in consultation with and endorsed by the Faculty Senate, and approved by the Chancellor.

The plan shall also include a clear statement of consequences should adequate progress not occur by the end of the third year. The consequences may range from suspension of pay raises to, in the most extreme cases, reduction in rank, temporary suspension of employment, or termination of employment.

#### 6. Appeals

The Faculty Grievance Committee shall consider problems and appeals that arise from post-tenure review as outlined in Section 4.10.B.

#### 7. Due Process

"A faculty member, who is the beneficiary of institutional guarantees of tenure, shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees the faculty member may be discharged from employment, suspended, or demoted in rank only for reasons of incompetence, neglect of duty or misconduct of such a nature as to indicate that an individual is unfit to continue as a member of the faculty" (*Code of the University of North Carolina*, Chapter VI, Section 603). Disciplinary actions for noncompliance with the development plan are limited to those established in Chapter VI of the *Code of the University of North Carolina*. Due process and the right of appeal as specified in the *Code of the University of North Carolina* and the "Tenure Policies and Regulations of Western Carolina University" in the Faculty Handbook shall be guaranteed.

#### 8. Training

The Office of the Provost shall provide ongoing support and training for all post-tenure review evaluators, including peer review committee members, department chairs or academic unit heads, and deans. The Office of the Provost ensures that all post-tenure review evaluators’ benefit from digital training modules prepared by UNC General Administration and receive training in campus-specific policies and procedures. (UNC Policy Manual 400.3.3.1[G].9)

1. All tenured faculty are subject to post-tenure review with the exception of those currently serving in Tier I or Tier II Senior Academic and Administrative Officers as defined by UNC Policy 300.1.1-I (e.g. at or above the level of assistant or associate dean). [↑](#footnote-ref-1)
2. In Post-Tenure Review: An AAUP Response, the Association’s Committee on Academic Freedom and Tenure indicated “The basic standard for appraisal should be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with his or her position, not whether the faculty member meets the current standards for the award of tenure as those might have changed since the initial granting of tenure.” [↑](#footnote-ref-2)
3. Directional goals, as mandated by UNC Policy Manual 3.3.1[G], are to be developed at the beginning of the faculty member’s next post-tenure review cycle, starting with the 2015-2016 academic year. All tenured faculty are to have a set of directional goals by the 2020-2021 academic year. [↑](#footnote-ref-3)