

# UTC PROCEDURES FOR PERIODIC POST-TENURE PERFORMANCE REVIEW

## I. Introduction

In its Policies on Academic Freedom, Responsibility, and Tenure (UT Policy BT0006), the Board of Trustees has recognized and affirmed the importance of tenure in protecting academic freedom and thus promoting the University's principal mission of discovery and dissemination of truth through teaching, research, and service. The Board has also recognized its fiduciary responsibility to students, parents, and all citizens of Tennessee to ensure that faculty members effectively serve the needs of students and the University throughout their careers. To implement these principles, the University of Tennessee at Chattanooga ("UTC"), with the approval of the President and the Board, has established these procedures under which every tenured faculty member shall receive a comprehensive performance review no less often than every six years.

## II. Post-Tenure Review ("PTR") Period

Except as otherwise provided in these procedures, each tenured faculty member must undergo some form of comprehensive performance review no less often than every six years. The PTR shall not substitute for the Evaluation and Development by Objectives (EDO) process in the year a faculty member is scheduled for PTR.

The dean of each college shall develop, and submit to the Provost for approval, an initial plan for staggering post-tenure reviews to avoid excessive administrative burden at any given time. The initial staggering plan may be revised with the approval of the Provost if later developments require changes in order to avoid excessive administrative burden. The post-tenure review period begins at the granting of tenure, and, except as otherwise provided by the staggering plan, a faculty member's PTR will occur no less often than every six years thereafter unless one of the following circumstances results in a different timetable:

- Suspension of post-tenure review period – A faculty member's post-tenure review period is suspended during any year in which the faculty member is granted a leave of absence or a modified duties assignment.
- Restarting of post-tenure review period due to alternative comprehensive review – A comprehensive review of a faculty member's performance restarts the faculty member's PTR period under the following circumstances:
  - If a tenured faculty member undergoes a successful promotion review or a promotion is in progress during the year scheduled for the faculty member's PTR, the promotion review fulfills the PTR requirement and the PTR period is modified to require a PTR six years after the promotion review.
  - If a tenured faculty member undergoes an Enhanced Post-Tenure Performance Review (EPPR) (generally triggered by annual performance review rating(s)) and is either rated as meeting expectations or successfully completes the terms of the EPPR improvement plan, the EPPR process fulfills the PTR requirement and the PTR cycle is modified to begin with the date of the EPPR committee's report.

- Start of the PTR period upon conclusion of an administrative appointment – Full time administrators and faculty members with a majority administrative appointment (more than 50%) are not subject to PTR; faculty members holding a less than majority administrative appointment (50% or less) are subject to PTR regarding their faculty duties based on expectations consistent with their faculty duty allocation. When a full-time or majority-time administrator leaves his or her administrative position to assume a tenured faculty position, the faculty member's initial PTR shall occur within six years after leaving the administrative post.
- Commitment to retire – When a faculty member submits a letter of resignation with a termination date within the academic year during which a post-tenure review would have taken place, and provided the letter of resignation is accepted by the Provost, the post-tenure review shall be deemed unnecessary.
- A faculty member's scheduled PTR may be otherwise deferred or modified only for good cause approved by the Provost.

### **III. Annual Schedule for Post-Tenure Review**

All post-tenure reviews will be conducted and completed during the Fall semester according to the following schedule:

- The Provost shall notify all faculty members subject to post-tenure review in a given academic year no later than April 1 of the preceding academic year.
- The dean of the faculty member's college shall appoint all PTR Committees as set forth in Section IV below no later than May 1 of the preceding academic year.
- Each PTR Committee shall convene and elect a chair and shall be provided with the materials required by Section V below no later than September 1.
- When external review is required for or requested by a candidate for post-tenure review, the PTR Committee shall solicit reviews from at least three valid external reviewers no later than September 15.
- Each PTR Committee shall submit its report required by Section VII below no later than December 15.

### **IV. Appointment and Composition of Post-Tenure Review Committee**

All post-tenure reviews must be conducted by college-level committees established for the sole purpose of post-tenure review. Each PTR Committee shall include a minimum of 3 members, provided the number is odd. Deans of larger colleges may opt to appoint a larger committee. The committee is appointed by the dean of the faculty member's college in the following manner:

- Each department may nominate at least 1 member, but no more than 3 members of its tenured faculty, to serve on a college-level PTR Committee. The nominees should include no faculty member who is subject to post-tenure review in that cycle. The department nominee may hold the rank of Associate Professor only with prior approval of the dean and only in the event that no full Professor is eligible or available to serve.
- From among the departmental nominees, the dean shall appoint faculty members to serve on a PTR Committee for any specific faculty member (or group of faculty members) undergoing review. The members of a PTR Committee shall be appointed so as to avoid any conflict of interest with any faculty member (or group of faculty members) undergoing review.

- For the purpose of this process, a conflict of interest shall be defined as any professional or personal consideration between a PTR Committee member and a faculty member undergoing post-tenure review which may compromise, or have the appearance of compromising, the independence of the former's judgment during review of the latter.

The composition of the PTR Committee must meet the following requirements:

- Each PTR Committee member must be a tenured full-time faculty member who is at the same or higher academic rank (except as provided under Section IV above), and whose locus of tenure is at the same campus, as the faculty member being reviewed.
- One, and only one, PTR Committee member must hold an appointment in the same department as the faculty member being reviewed, unless there is no such faculty member eligible to serve.

The Provost, working with the University of Tennessee Office of Academic Affairs and Student Success, will provide instructions, guidelines, and best practices to members of PTR Committees.

Each PTR Committee shall convene and elect a chair. The chair shall solicit and collect all required materials from each faculty member under review and the department head of each faculty member under review. The chair shall subsequently ensure that the committee meets in person for a thorough review of those materials.

#### **V. Materials to be Reviewed by Post-Tenure Review Committee**

The PTR Committee must review: (1) a completed EDO (including the department head's evaluation and rating of the faculty member's performance, and student and any peer evaluation of teaching) for each year since the last review; (2) EDO goals for the current review period; (3) the faculty member's current Curriculum Vitae; (4) a narrative, not to exceed two pages, prepared by the faculty member describing the faculty member's milestone achievements and accomplishments since the last review; and (5) if there has been a previous PTR, a copy of the narrative submitted as a part of the faculty member's previous PTR. Each of the items (1) – (2) should be supplied by the faculty member's department head. Each of the items (3) – (5) should be supplied by the faculty member. The PTR Committee may also review: (6) external reviews, when deemed necessary by the PTR Committee or when deemed necessary by the dean of the faculty member's college. In the event that an external review is not deemed necessary by the PTR Committee or dean, external reviews may be requested by the faculty member undergoing post-tenure review.

When an external review is deemed necessary, or is requested, for a faculty member's post-tenure review, the materials to be reviewed for that faculty member (i.e., the materials listed under (1) – (5) above), will be sent to no fewer than three external reviewers. At least two external reviewers must provide written reviews.

The selection of the external reviewers for a faculty member is a collaboration between that faculty member and the PTR Committee conducting the review. The faculty member shall submit to the PTR Committee two lists: one list of no fewer than five names of valid reviewers, and a second list of names of individuals who must be excluded from the external review. Relying on its own counsel and expertise, the PTR Committee will create its own list of no fewer than five valid reviewers.

A valid reviewer is a tenured faculty member at a comparable institution of higher education holding the rank of full Professor and a terminal degree in the same discipline, or sufficiently-related discipline, as the faculty member undergoing post-tenure review.

From these two lists, the PTR Committee shall select exactly one name of a valid reviewer from the faculty member's list and two names of valid reviewers from its own list. From this panel of three reviewers, the PTR Committee shall solicit external reviews using a form letter provided by the Provost for this purpose. Each reviewer shall receive the same packet of materials (i.e., the materials listed under (1) – (5) as above), along with clear instructions on timely return of a review to the PTR Committee. Should a reviewer decline to review a candidate for post-tenure review, the PTR Committee may return to the two lists of valid reviewers and select another valid reviewer from whom to solicit a review.

At least two valid external reviewers must supply reviews to the PTR Committee reviewing a candidate for post-tenure review. In the event that two reviews from valid external reviewers cannot be secured, the chair of a PTR Committee may appeal to the Provost for a waiver of this requirement.

The reviews of external reviewers are advisory to the PTR Committee. In its conclusions and report, the PTR Committee should highlight relevant observations made by external reviewers, and describe the role that those observations played in the PTR Committee's conclusions and report.

#### **VI. Criteria for Post-Tenure Review**

The post-tenure review process should ensure the faculty member has demonstrated continued professional growth and productivity in the areas of teaching<sup>1</sup>, research (including published scholarship and creative achievement), service, and/or clinical care pertinent to his or her faculty responsibilities. The criteria for assessing the faculty member's performance must be consistent with established expectations of the department, college, and UTC and provide sufficient flexibility to consider changes in academic responsibilities and/or expectations. The expectations for faculty performance may differ by college, department, and even among sub-disciplines within a department or program. Those expectations may be commonly-held standards in the discipline or sub-discipline. Those expectations may be stated explicitly in the faculty member's own past annual performance reviews, work assignments, goals or other planning tools (however identified), as well as department or college bylaws, the UTC Faculty Handbook, this policy, and in other generally-applicable policies and procedures (for example, fiscal, human resources, safety, research, or information technology policies and procedures).

#### **VII. Post-Tenure Review Committee's Conclusions and Report**

The PTR Committee is charged to review the faculty member's performance during the review period and to conclude whether the faculty member's performance satisfies the expectations for the faculty member's discipline and academic rank. All conclusions and recommendations shall be adopted upon the vote of a simple majority of the PTR Committee. No member of the PTR Committee may abstain or recuse himself or herself from voting. Based on the judgment of its members, the PTR Committee must conclude either:

- That the faculty member's performance satisfies the expectations for the faculty member's discipline and academic rank; or

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<sup>1</sup> In regard to evaluation of librarians, "librarianship" should be substituted for the word "teaching".

- That the faculty member's performance does not satisfy the expectations for the faculty member's discipline and academic rank.

The committee must report its conclusions and recommendations in writing using a standard format prepared by the Provost, including (a) an enumeration of the vote, (b) the supporting reasons for its conclusion, (c) a dissenting explanation for any conclusion that is not adopted unanimously, (d) an identification of any incongruences observed between the faculty member's performance and his or her annual evaluations, (e) a statement of any additional concerns identified or actions recommended, and (f) if applicable, an identification of areas of extraordinary contribution and/or performance.

The detailed PTR Committee report shall be provided to the faculty member, department head, dean, and Provost.

Faculty members and department heads must have the opportunity to provide a written response to the PTR Committee report. The dean shall either accept or reject the PTR Committee's determination that the faculty member's performance satisfies or does not satisfy the expectations for the faculty member's discipline and academic rank. The Provost and the Chancellor shall indicate whether or not they concur in the dean's determination. If the PTR Committee report is not unanimous, the dean shall provide the supporting reasons for his or her determination. If the dean, the Provost, or the Chancellor do not concur in a determination, then he or she shall provide the supporting reasons for the non-concurrence. The dean's determination, the Provost's and Chancellor's concurrences, and any written responses of the faculty member and department head will be maintained with the PTR Committee report in UTC Faculty Records and submitted electronically to the University of Tennessee Office of Academic Affairs and Student Success.

### **VIII. Appeal**

Within thirty (30) days of receipt of the PTR Committee report, the faculty member may appeal any conclusion with which the faculty member disagrees. The procedure for appeal is described in Section 5.3. of the UTC Faculty Handbook, except that a final decision on the appeal shall be made within ninety (90) days of the faculty member's appeal, and the decision of the Chancellor on an appeal shall be final and not be appealable to the President.

### **IX. Further Actions**

If the PTR Committee concludes that the faculty member's performance has not satisfied the expectations for the faculty member's discipline and rank, a PTR improvement plan must be developed using the same procedures used for the development of an EPPR improvement plan as detailed in Appendix E to UT Policy BT0006.

If the Provost concludes that deficiencies exist in the departmental annual performance review process (including failure of department heads to conduct rigorous annual performance reviews) or other incongruences are observed between the PTR performance review and rankings assigned through the annual performance review process, the Provost must develop a process for addressing the issues.

### **X. Annual Report to the Board of Trustees**

The Provost shall prepare an annual assessment report of campus post-tenure review processes, procedures and outcomes for submission by the Chancellor to the Board, through the President, no later

than June 1 of each year. The report shall include a description of any deficiencies identified in departmental annual performance review processes and the plan for addressing the issues.

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