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PERIODIC PERFORMANCE EVALUATION OF TENURED FACULTY

A. Purpose

The purpose of this policy is to state the underlying philosophy behind the post tenure review process and to outline the procedures for the periodic performance evaluation of tenured faculty at The University of Texas-Pan American.

B. Persons Affected

This policy applies to tenured faculty and those responsible for the evaluation of tenured faculty.

C. Policy Preamble

The University of Texas-Pan American recognizes the time-honored practice of tenure for University faculty as an important protection of free inquiry, open intellectual and scientific debate, and unfettered criticism of the accepted body of knowledge. Academic institutions have a special need for practices that protect freedom of expression, since the core of the academic enterprise involves a continual reexamination of ideas. Academic disciplines thrive and grow through critical analysis of conventions and theories. Throughout history, the process of exploring and expanding the frontiers of learning has necessarily challenged the established order. That is why tenure is so valuable, not merely for the protection of individual faculty members, but also as an assurance to society that the pursuit of truth and knowledge commands our first priority. Without freedom to question, there can be no freedom to learn.

The University of Texas-Pan American supports a system of periodic evaluation of all tenured faculty. Periodic evaluation is intended to enhance and protect, not diminish, the important guarantees of tenure and academic freedom. The purpose of an ongoing evaluation is to provide guidance for continuing and meaningful faculty development; to enhance professional skills and goals; to refocus academic efforts, when appropriate; and to assure that faculty members are meeting their responsibilities to the University and the State of Texas. Nothing in these procedures or the application of institutional evaluation policies shall be interpreted or applied to infringe on the tenure system, academic freedom, due process, or other protected rights; nor to establish a term-tenure system or to require faculty to re-establish their credentials for tenure.

D. <u>Definitions</u>

Not applicable.



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E. Responsibilities

Not applicable.

F. Procedures

1. All tenured faculty will be evaluated annually, with a comprehensive periodic evaluation of all tenured faculty performed every six years following the last successful comprehensive review for tenure, promotion, or post tenure review. The six-year evaluation does not replace the annual reviews, but rather supplements them. Under special circumstances, such as approved leave, the review may be delayed with the approval of the Provost/Vice President for Academic Affairs.

If the post tenure review cycle coincides with the faculty member's application for promotion, then the latter will be considered as a concurrent application for post tenure review. Any recommending entity that recommends for promotion shall be deemed to have given a positive recommendation for post tenure as provided for in F.4.a (i.e. the faculty member is meeting his or her academic responsibilities and no further action is warranted). If a recommending entity recommends against promotion, then that entity should make one of the three additional recommendations provided for in F.4.a, b, or c.

- 2. The six-year evaluation will include review of professional responsibilities taken as a whole across the performance areas of teaching, professional achievement/research, patient care, professional service, and administration with due consideration to the time devoted to each. Reasonable individual notice of at least six months of intent to review will be provided to a faculty member by the Provost/Vice President for Academic Affairs.
- 3. The faculty member shall submit a Curriculum Vita and a summary statement of all previous six annual evaluations conducted under *Handbook of Operating Procedures* (*HOP*) Section 6.2.2, Annual Faculty Evaluation, including the statistical summaries of the teaching evaluations. The faculty member may submit a brief statement of professional objectives and accomplishments and any additional materials he or she deems appropriate.
- 4. The evaluation will begin in the department in which the faculty member holds a tenured appointment and will be conducted by a department peer review committee which will include the department chair. The members of the committee must be tenured and will be elected by the tenured faculty of the department. If the size of a department makes a peer review committee impractical (e.g., if the department is composed of fewer than



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three tenured faculty), the evaluating unit will be determined through discussions among the department faculty, the department chair and the college dean.

The departmental committee's report will include a narrative summary of the faculty member's performances in teaching, professional achievement/research, professional service and other areas as appropriate, and one of the following recommendations:

- a. The faculty member is meeting his or her academic responsibilities and no further action is warranted.
- b. There are areas of serious concern that justify a meeting among the faculty member, department chair, and dean to address these areas.
- c. The faculty member is deficient in meeting his or her academic responsibilities taken as a whole and with due consideration to the time devoted to each of the areas of teaching, professional achievement/research, professional service, and other areas as appropriate such as patient care and administration and is referred to the dean for appropriate action.

The department chair will communicate the results in writing to the faculty member and to the dean for review. The faculty member being evaluated will have the opportunity to respond, in writing and in person, to the committee.

5. The dean will inform the faculty member, in writing, of his or her recommendation. The faculty member will have an opportunity to respond, in writing and in person, to the dean.

If the dean and the department committee conclude that the faculty member is meeting his or her academic responsibilities, no further action will be taken and the dean will inform the Provost/Vice President for Academic Affairs who will then inform the President of the results. If the dean or the department committee concludes that there are areas of serious concern or that the faculty member is deficient, then a college peer review committee will be convened. This committee will be the standing College Tenure Committee. Minor concerns that can be addressed properly between the faculty member, department chair, and dean do not warrant referral to the College Tenure Committee.

6. The College Tenure Committee will report the results of its evaluation in writing to the faculty member, the department chair, the dean, and the Provost/Vice President for Academic Affairs for review and appropriate action. The faculty member being evaluated will have the opportunity to respond, in writing and in person, to the committee.



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The College committee's report will include a narrative summary of the faculty member's performances in teaching, professional achievement/research, professional service and other areas as appropriate, and one of the following recommendations:

- a. The faculty member is meeting his or her academic responsibilities and no further action is warranted.
- b. There are areas of serious concern that justify a meeting among the faculty member, department chair, college dean and the Provost/Vice President for Academic Affairs to address these areas.
- c. The faculty member is deficient in meeting his or her academic responsibilities taken as a whole and with due consideration to the time devoted to each of the areas of teaching, professional achievement/research, professional service, and/or other areas as appropriate such as patient care and administration and is referred to the Provost/Vice President for Academic Affairs for appropriate action, which may include remediation efforts or additional action under The University of Texas System Board of Regents' *Rules and Regulations*.
- 7. The Provost/Vice President for Academic Affairs will make a recommendation to the President, and will inform the faculty member and the College Tenure Committee in writing of the reasons for his or her recommendation. The faculty member will have the opportunity to respond, in writing and in person, to the Provost/Vice President for Academic Affairs. If either the President or the faculty member requests, the University Tenure Committee will be convened to review the recommendation of the Provost/Vice President for Academic Affairs and advise the President.
- 8. The President will notify the faculty member in writing of his or her recommendation. The faculty member will have the opportunity to respond, in writing and in person, to the University Tenure Committee and to the President.

If the President concludes the faculty member is so deficient in meeting his or her comprehensive academic responsibilities as to warrant a recommendation of termination, a faculty tribunal will be convened to review the President's recommendation. The tribunal shall be appointed in accordance with UTPA policies and Regents' *Rules*.

All proceedings for termination of tenured faculty on the basis of periodic performance evaluation shall be only for incompetence, neglect of duty, or other good cause shown, and must be conducted in accordance with the due process procedures of the <u>Regents'</u> <u>Rules</u>, <u>Series 31008</u>, including an option on the part of the faculty member to refer the



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matter to non-binding alternative dispute resolution. Such proceedings must include a list of the specific charges being brought forward by the President for hearing by the faculty tribunal.

In all such cases the burden of proof will be on the institution, and the rights of a faculty member to due process and academic freedom shall be protected.

9. Each tenured faculty member will be evaluated in the Spring semester on a six-year cycle determined by the academic year of his or her last successful comprehensive review for tenure, promotion, or post tenure review. For example, those to be evaluated in 2005-2006 would have been reviewed in 1999-2000, 1993-1994, or 1987-1988. In 2006-2007, those to be evaluated would have been reviewed in 2000-2001 or 1994-1995.

G. Review

The Divisional Head for this policy is the Provost/Vice President for Academic Affairs and this policy shall be reviewed every five years or sooner if necessary by the following Stakeholders:

- 1. Vice Provost for Faculty Affairs Senior Reviewer
- 2. Academic Affairs Executive Team
- 3. Faculty Senate Chair