

**DRAFT/FOR REVIEW BY TENURE POLICY TASK FORCE AT DECEMBER 23
MEETING/DRAFT**

**Regent Policy Document 20-9
Periodic Post-Tenure Review in Support of Tenured Faculty Development**

Note: This draft proposes the revision of the current RPD 20-9 and if passed, would replace that policy

Scope

This policy applies to all UW System institutions and tenured faculty members. The post-tenure review described by this policy is not intended to serve as a substitute for any annual or other evaluations of tenured faculty performance that may occur at an institution, nor is it intended as a re-evaluation of tenure.

Purpose

The purpose of this policy is to reflect the Board of Regents' commitment to promoting the continued high-quality teaching, research/scholarship, and service of its tenured faculty, and thereby to enhance the educational environment for its students and the larger community. The primary purpose of the periodic, post-tenure review of tenured faculty is to support tenured faculty development.

Policy

It is the policy of the Board of Regents that a periodic, post-tenure review of tenured faculty members is essential to promoting faculty development, including recognizing innovation and creativity; enhancing the educational environment for students; and identifying and redressing deficiencies in overall performance of duties through a supportive and developmental remediation process.

Nothing in this policy shall be interpreted to alter or to infringe upon existing tenure rights, as set forth in UW System Board of Regents or UW System policies, nor shall this policy diminish the important guarantees of academic freedom. Specifically, this policy does not supersede administrative rules providing for termination for cause set forth in Chapter UWS 4 of the Wisconsin Administrative Code.

Each institution, through its normal governance process, shall develop and implement a policy for periodic, post-tenure review of tenured faculty members that contains, at a minimum, the following:

1. A definitions section, as needed, that is consistent with the defined terms as they are used in related law and policy.

2. A statement that emphasizes that the overriding purpose of the periodic, post-tenure review is tenured faculty development, and that such review shall not infringe on existing faculty rights and protections, including those of academic freedom.
3. A summary description of the annual or other more frequent tenured faculty evaluation process that is separate and distinct from the post-tenure review process.
4. Provision for review, at least once every five years, of each tenured faculty member's activities and performance. The post-tenure review period begins in the academic year following the granting of tenure. The review may be deferred, with the approval of the provost, for unusual circumstances such as when it may coincide with an approved leave, promotion review, or other appointment. In such cases, the provost will specify the new review cycle that applies to the faculty member. The periodic, post-tenure review may substitute for annual review in the year a faculty member is scheduled for such review.
5. Provision for notice of the intent to review at least three months before the review is conducted. However, failure to meet this notice deadline does not obviate the requirement to conduct and participate in the review.
6. Identification of criteria by which to evaluate the tenured faculty member's performance that are effective and consistent with the mission and expectations of the department, school or college, and institution, as applicable, and sufficiently flexible to permit shifts in professional emphasis. However any criteria must fall within the three categories of teaching, scholarship/research, and service.
7. Delineation of the roles and responsibilities of those who will conduct or contribute to the review. Those who must have a role in the review include peer faculty members and the dean of the college or school (as applicable). The relative importance and proportion of these roles in the review will be set by the institution through its normal governance process.
8. Delineation of the process by which the review will be conducted, including a timeline.
9. Identification of the following categories reflecting the overall results of the review. In determining the category, the review will consider whether the faculty member under review has discharged conscientiously and with professional competence the duties appropriately associated with the faculty member's position.

Option 1:

- a. Exceeds expectations. This category is awarded to those tenured faculty members whose performance reflects a significant level of accomplishment beyond what is normal for the institution, college or school, or department.
- b. Meets expectations. This category is awarded to those tenured faculty members whose performance reflects the expected level of accomplishment.

Comment [TS1]: These options are for the Task Force's consideration and further discussion at the next scheduled meeting. It is not intended that the completed policy would contain options.

- c. Does not meet expectations. This category is awarded to those tenured faculty members whose performance reflects a level of accomplishment below the expected level and which requires correction.

Option 2:

- d. Meets expectations. This category is awarded to those tenured faculty members whose performance reflects the expected level of accomplishment.
 - e. Does not meet expectations. This category is awarded to those tenured faculty members whose performance reflects a level of accomplishment below the expected level and which requires correction.
10. Provision for a written report for each faculty review and the opportunity for the reviewed faculty member to provide a written response to the report. The report should be provided to the faculty member, the department chair, the dean (as applicable), and the provost.
11. A description of any opportunities offered to faculty members who receive a review in the category of meets or exceeds expectations, including additional compensation, subject to the availability of resources.
12. A description of the procedures that apply when a faculty member receives a review in the category of “does not meet expectations” that includes the following:
- a. Requirement that the identification of any deficiencies be described in writing and provided to the faculty member;
 - b. Provision for a meeting between the reviewing individual or body and the faculty member to discuss the identified deficiencies;
 - c. Provision for a remediation plan to be developed by the faculty member in consultation with the reviewing individual or body to assist the faculty member in addressing those deficiencies identified in the review, and for the remediation plan to be submitted to the dean, and the chancellor (or designee), as applicable, for approval;
 - d. Provision for a performance remediation process that is developmental and provides the faculty member with adequate support from the reviewing individual or body, the dean and other university units to address deficiencies;
 - e. Provision stating that the dean, in consultation with the reviewing individual or body and the faculty member, examine the remediation plan and determine progress at least once each semester, and document progress, or lack thereof, in the faculty member’s personnel file;
 - f. Provision for a mechanism for determining how and when the faculty member will be determined by the dean in consultation with the reviewing individual or body and faculty member to have satisfied the expectations of the remediation plan; however,

all elements of the plan must be satisfied within a reasonable time period commensurate with the identified deficiencies and as determined by the dean, not to exceed eighteen (18) months;

- g. Provision for actions to be taken when the faculty member fails to meet the expectations set forth in the remediation plan, which includes reference to existing faculty complaint processes, and which permits the imposition of discipline, as appropriate, up to and including dismissal for cause under Chapter UWS 4.
- h. Provision for a review of the determination of “does not meet expectations” by the dean at the request of the faculty member.
 - 1. A requirement that the faculty member request a review within 14 days of receipt of the determination.
 - 2. Following the request, the dean will conduct the review and make a determination. If the determination overturns the departmental decision, remediation is not necessary and the result will be communicated to the faculty member and the department.
 - 3. If the determination supports the departmental decision, the result is communicated to the faculty member and the department. The faculty member may request a final review by the chancellor (or designee) within 14 days of receipt of the dean’s determination.
 - 4. The chancellor (or designee) shall decide whether performance remediation is warranted. The chancellor (or designee) shall communicate that determination to the faculty member, dean, and the department.
 - 5. In any case where remediation is warranted, it shall be subject to the provisions noted above.
 - 6. The initial review, dean’s recommendation, and chancellor’s (or designee’s) decision are not subject to the institutional grievance process;
- 13. Provision for assistance prior to and following the review—regardless of the results of the faculty member’s post-tenure review—that is available to all faculty members to support their professional development at any time in their careers.
- 14. Provision for a full, written record to be created containing the results of a faculty member’s periodic, post-tenure review and any ensuing actions, as described above, and for the written record to be provided to the dean and chancellor (or designee). Information and documentation relating to the review shall be maintained by the appropriate departmental, college or school, or university personnel or bodies, and

Comment [TS2]: The University of Maryland at College Park uses a similar process to that described in this paragraph.

disclosed otherwise only at the discretion, or with the explicit consent, of the faculty member, unless required by business necessity or by law.

15. Provision that department chairs or their organizational equivalent be required to report annually to the dean and chancellor (or designee) that all periodic post-tenure reviews for tenured faculty in that annual cycle have been completed, and that the chancellor (or designee) has responsibility for ensuring the reviews are completed on schedule.

Oversight

Each institution shall submit to the Board of Regents for approval the institutional policy developed in accordance with this policy.

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