

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 adopted, 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 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 Statement

Tenure is an essential part of the guarantee of academic freedom that is necessary for university-based intellectual life to flourish. The grant of indeterminate tenure to faculty members represents an enormous investment of university and societal resources, and those who receive this investment do so only after rigorous review which established that their scholarship, research, teaching, and service met the highest standards and are congruent with the needs of the university.

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, only 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.
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.
 - a. Meets expectations. This category is awarded to those tenured faculty members whose performance reflects the expected level of accomplishment.

- b. 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. All reviews resulting in “does not meet expectations,” unless overturned upon further review, will result in a remediation plan as described below.

An institution may add an additional category of “Exceeds expectations,” which is to be 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.

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, as applicable, 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 review by the dean, followed by review by the chancellor (or designee). The faculty member may provide a written statement to accompany these reviews. Following the chancellor or designee’s review, the faculty member will be informed by the chancellor or designee that the faculty member has received a result of “meets expectations,” or that a remediation plan will be developed; and
 - c. Provision for a remediation plan to be developed by the faculty member in consultation with the dean to assist the faculty member in addressing those deficiencies identified in the review.
 - i. The primary focus of the remediation plan shall be developmental and provide the faculty member with appropriate support from the department or dean as applicable.
 - ii. Provision for a mechanism for determining how and when the faculty member will have satisfied the expectations of the remediation plan as determined by the dean in consultation with the chancellor and faculty member; however, all elements of the plan must be satisfied within a reasonable time period, commensurate with the identified deficiencies determined by the dean, not to exceed eighteen (18) months;

- iii. 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.
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 department, college or school, or university personnel or bodies, and 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.
16. The reviews conducted and remediation plans developed in accordance with this policy are not subject to the grievance process set forth in Chapter UWS 6.02, Wis. Admin. Code.

Oversight, Roles and Responsibilities

Each institution shall submit to the Board of Regents for approval the institutional policy developed in accordance with this policy. Within nine (9) months of the effective date of the policy, each institution shall submit to the Board of Regents their policy. Once the policy has been approved, the chancellor is responsible for implementing the policy and operating the institution consistent with its provisions.

Related Regent Policies and Applicable Laws

Chapter 36, Wis. Stats.
Chapters UWS 3, 4, and 6, Wis. Admin. Code
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