

UTK PROCEDURES FOR PERIODIC POST-TENURE PERFORMANCE REVIEW

I. Introduction

In its Policies on Academic Freedom, Responsibility, and Tenure (Board 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 knowledge 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. In order to affirm the importance of tenure and carry out its fiduciary responsibilities, the Board revised BT0006 and established mandatory periodic comprehensive performance reviews for eligible tenured faculty. In compliance with this requirement, UTK, with the approval of the President and the Board, has established the following procedures under which each eligible 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 Annual Performance and Planning Review in the year a faculty member is scheduled for PTR.

The dean of each college shall develop, and submit to the chief academic officer for approval, an initial plan for staggering post-tenure reviews. The initial staggering plan may be revised with the approval of the chief academic officer 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 under UTK's Family Care Policy.
- *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 PTR, the promotion review fulfills the PTR requirement and the PTR period is modified to require 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 (including, but not limited to, deans, associate deans, directors, and department heads, or as determined by the chief academic officer) are not subject to PTR; faculty members holding a less-than-majority administrative appointment (as determined by the chief academic officer) 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 position.
- A faculty member's scheduled PTR may be waived if the faculty member submits a written and binding commitment to retire no later than one year after the year in which the PTR was scheduled.
- A faculty member's scheduled PTR may be otherwise deferred or modified only for good cause, as determined and approved by the chief academic officer.

III. Annual Schedule for Post-Tenure Review

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

- The chief academic officer, in consultation with the dean of each college, shall appoint all PTR Committees as set forth in Section IV below no later than December 1 prior to the spring semester in which the review will occur.
- The chief academic officer shall provide each PTR Committee and the faculty member under review with the materials required by Section V below no later than January 15.
- Each PTR Committee shall submit its report required by Section VII below no later than March 31.
- Extensions of these deadlines will be granted only for good cause approved by the chief academic officer.

IV. Appointment and Composition of Post-Tenure Review Committee

All post-tenure reviews will be conducted by a committee established for the sole purpose of post-tenure review. Each PTR Committee will include three (3) members, appointed by the chief academic officer, who will avoid choosing PTR Committee members with obvious or apparent conflicts of interest. Faculty members who hold administrative appointments, as determined by the chief academic officer, are not eligible to serve.

In addition to these general principles of inclusion, 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, 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 committee chair will be appointed by the chief academic officer from among the members of the committee who are not from the same department as the faculty member being reviewed.

The chief academic officer will also be responsible for establishing a university-wide pool of faculty members to serve on PTR committees. The pool will be constituted in the following manner:

- Each college dean will provide nominees to the chief academic officer, according to the following considerations:
 - In colleges with departments, the dean will nominate individuals who are eligible to serve on a PTR committee of any colleague from the same department who is scheduled to be reviewed in that academic year. The total number of nominees put forward by the dean will be determined by the number of faculty from unique departments who are scheduled for review in that academic year. For example, if there are 20 faculty members in 14 unique departments in the College of Arts and Sciences, the dean of the college will submit 14 nominees, one from each of the unique departments. A college with departments must nominate at least one faculty member even if no faculty from that college are scheduled to undergo PPPR in a given year.
 - In colleges without departments, each dean will nominate one faculty member for the university-wide pool.
 - Each college will determine the process whereby nominees are selected and recommended to the chief academic officer
 - Nominees will serve for a minimum of one year, and they may serve for up to three years, as recommended by the deans.
 - At his or her discretion, the chief academic officer may ask deans to provide additional nominees or replacements for those nominated.

In consultation with the dean of the college of the faculty member under review, the chief academic officer will appoint and provide a written charge to the committee. The charge will include the following elements:

1. Purpose of PTR, as described in Part I of this document;
2. Scope of PTR, as described in Part VI of this document;

3. Process of PTR, as described in Part VII of this document;
4. Materials to be reviewed in PTR, as described in Part V of this document; the chief academic officer will emphasize that only in rare circumstances, and where expertise to evaluate the faculty member's scholarly output cannot otherwise be obtained, will the committee request external letters of assessment.
5. Obligation to provide a fair and objective review;
6. Obligation to keep confidential the committee's deliberations and findings;
7. Any other instructions that the chief academic officer deems necessary to carry out the review.

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

The PTR Committee must review the following documents:

1. Annual review materials for each year since the last review or for the last six years in cases where this is the first review, including the following:
 - a. APPR summary rating forms from the UTK Online Faculty Review System;
 - b. Any and all evaluation narratives written by department head during the PTR period;
 - c. Any and all responses by the faculty member, dean, and chief academic officer for each APPR;
 - d. SAIS / End of Course Survey forms for the PTR period;
 - e. Any peer evaluation of teaching for the PTR period;

A, b, and c will be supplied by the Office of the Chief Academic Officer. D and e will be supplied by the department head.

2. Copies of the appropriate department's and college's performance expectations for faculty according to rank, as published in the bylaws of the respective units (*to be supplied by the department head*);
3. A current *curriculum vitae* of the faculty member under review (*to be supplied by the faculty member*);
4. A narrative, not to exceed two pages, prepared by the faculty member describing the faculty member's milestone achievements and accomplishments for the review period as well as goals for the next review period (*to be supplied by the faculty member*);
5. If this is not the first PTR, a copy of the narrative submitted as a part of the faculty member's previous PTR (*to be supplied by the faculty member*);
6. External reviews only when deemed necessary by the PTR Committee or the chief academic officer.

VI. Criteria for Post-Tenure Review

The post-tenure review process must assess the faculty member's continuing professional growth and productivity in the areas of teaching, research (including scholarly, creative and artistic work), 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, school/college, and campus and provide sufficient flexibility to consider changes over time in the faculty member's academic responsibilities and/or the department's expectations. The expectations for faculty performance may differ by campus, college, department, and even within a department or program. Those expectations may be commonly held standards in the discipline or sub-discipline, and should be published in the unit's bylaws. In addition, they may be stated explicitly in the faculty member's past annual performance reviews, work assignments, goals, or other planning tools (however identified). They may also be found in college bylaws, the Faculty *Handbook*, 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 assess 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. The PTR Committee's voting must be conducted by anonymous ballots. 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
- 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 chief academic officer, including (1) an enumeration of the anonymously cast vote; (2) the supporting reasons for its conclusion; (3) in cases where there is a dissenting vote, the report shall include a record of the grounds for the dissenting vote, as those grounds were expressed in the committee's deliberations; (4) identification of any incongruences observed between the faculty member's performance and his or her annual evaluations, (5) a statement of any additional concerns identified or actions recommended; (6) if appropriate, an identification of areas of extraordinary contribution or performance; and (7) a summary of the time spent by the PTR committee in conducting the PPPR.

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

1. Upon receipt of the report, faculty members and department heads have fourteen (14) calendar days to provide the dean with a written response to the PTR Committee report.
2. The dean will consider any written responses in a decision to 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. If the PTR Committee report is not unanimous, or if the dean does not accept the PTR Committee's determination, the dean shall provide supporting reasons for his or her determination. Within fourteen (14) calendar days of the end of the response period for the faculty member's and department head's

responses, if any, the dean will provide his or her recommendation and any supporting reasons to the chief academic officer regarding the PTR Committee report, with a copy to the faculty member and the department head.

3. Upon receipt of the dean's recommendation, the faculty member has fourteen (14) calendar days to provide the chief academic officer with a written response to the dean's recommendation.
4. At the end of the fourteen-calendar-day response period, the chief academic officer shall notify the candidate under review whether he or she concurs or does not concur in the dean's determination. If the chief academic officer does not concur in a determination, then he or she shall provide the supporting reasons for the non-concurrence.

VIII. Further Actions

If, as a result of PTR, the chief academic officer concludes that the faculty member's performance has not satisfied the expectations for the faculty member's discipline and rank, an Enhanced Post-Tenure Performance Review (EPPR) will be initiated, as detailed in Board Policy BT0006, Appendix E, as included in Chapter 3 of the *Faculty Handbook*. The triggering of EPPR will run concurrently with any appeal undertaken by the faculty member, as described in section IX, below.

If, upon review of the PTR report, the chief academic officer believes that deficiencies exist in the departmental annual performance review process (including failure of department heads to conduct rigorous annual performance reviews) or observes incongruences between the PTR performance review and rankings assigned through the annual performance review process, the chief academic officer must develop a process for addressing the issues. Any such process developed by the chief academic officer will have no bearing on the requirement that an Enhanced Post-Tenure Performance Review be initiated for a faculty member who has not satisfied expectations for rank.

All documents related to the PTR process will be maintained in the Online Faculty Review and submitted electronically to the University of Tennessee Office of Academic Affairs and Student Success.

IX. Appeal

The faculty member under review may appeal the chief academic officer's determination regarding the outcome of PTR within thirty (30) calendar days of notification of that outcome. The procedure for appeal is described in Chapter 5 of the *Faculty Handbook*, except that the administrative appeal is to the Chancellor, a final decision on the appeal shall be made within ninety (90) days of the faculty member's appeal, and the final decision of the Chancellor on an appeal shall not be appealable to the President.

X. Annual Report to the Board of Trustees

The chief academic officer shall prepare an annual assessment report of campus post-tenure review processes, procedures and outcomes for submission by the Chancellor to the Board of Trustees, 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.

The annual report will also include a summary of the time and resources devoted to the post-tenure reviews conducted during the year. A public version of the report that protects individual identities will be made available to all faculty.