

Post-Tenure Review

Guidelines for Unit Policy Development

(revised January 28, 2016)



UNIVERSITY OF OREGON

January 28, 2016
prepared by Kenneth M. Doxsee
Office of Academic Affairs

Post-Tenure Review

Guidelines for Unit Policy Development

Throughout this document, reference is made to the unit, the unit committee, and the unit head, in an attempt to provide guidance equally relevant to those schools and colleges that work with a departmental structure and those that do not.

Post-Tenure Review

The Collective Bargaining Agreement (CBA) establishes expectations for periodic reviews of all tenured members of the bargaining unit. In short, a review is expected every three years following the awarding of tenure, in an alternating cycle of an interim (third-year) review and a major (sixth-year) review. This document provides further information about the conduct of these periodic post-tenure reviews, which are to continue throughout a faculty member's tenure at the University of Oregon. Please note that these periodic reviews are required for *all* tenured faculty, regardless of their status with respect to the bargaining unit, and thus the guidance provided in this document is equally relevant to faculty within or excluded from the bargaining unit.

Third-Year Post-Tenure Review

The third-year post-tenure review is only briefly discussed in the CBA.

Article 20, Section 32. Third-Year Review. *Tenured bargaining unit faculty members will have an interim review in the third year following promotion and a sixth-year major post-tenure review. The three-year review is conducted jointly by the bargaining unit faculty member and the appropriate department or unit head. As a result of the review, the department or unit head will prepare a brief statement and share it with the bargaining unit faculty member, who may respond in writing. The statement and any response will be placed in the bargaining unit faculty member's personnel file.*

Unlike tenure and/or promotion reviews or the sixth-year post-tenure review, the third-year post-tenure review does not carry with it a mandatory increase in base salary (for those meeting or exceeding expectations) or a development plan (for those failing to meet expectations). However, the third-year post-tenure review occurs at a critical mid-way point en route to reviews for which such outcomes are mandated, and thus it must not be carried out in a “*pro forma*” fashion, but rather with thoughtfulness, consistency, and the full engagement of the unit.

This document provides additional information about the intentions of the post-tenure review and the process by which post-tenure review (hereafter PTR) is conducted.

General Comments Regarding Third-Year Post-Tenure Review

The primary intention of a third-year PTR is to provide an honest and open appraisal of the faculty member's progress and development of his or her scholarship, teaching, and service. While many of our faculty seek and receive input from their colleagues on a regular, even day-to-day basis, the third-year PTR represents an important formal development opportunity for colleagues to whom we have offered and awarded tenure.

If a faculty member is not meeting or exceeding expectations, the third-year PTR provides a formal opportunity to provide guidance to that faculty member that, if heeded, should enhance the likelihood of being found to meet or exceed expectations when next reviewed – in a major, sixth-year PTR. In this context, please be aware of the language of Section 31 within Article 20 of the CBA, which concludes with reference to termination for cause, a topic covered by Article 24 of the CBA. The third-year PTR is *not* intended to be a disciplinary proceeding in whole or in part, nor is it to justify or rationalize a change to a faculty member's regular duties (reassignment of courses or service commitments, increase in course load) without consultation and agreement with the faculty member.

Article 20, Section 29. *The primary function of post-tenure review is faculty development. Post-tenure review is not a process to reevaluate the award of tenure. The failure of a faculty member to make substantial progress toward meeting the goals of a development plan established through the post-tenure review process may be evidence of inadequate performance. The post-tenure review process, however, may not be used to shift the university's burden of proof in a proceeding to terminate a tenured faculty member for cause.*

The third-year PTR is *not* intended to replace evaluations for merit increases in base salary. The process is distinct, the time frames for evaluation will not in general be coincident, and the intention is different.

Guidelines and expectations for PTR will need to be included in unit promotion and/or tenure criteria documents (which will undergo revision, review, and approval over the coming year); potential outcomes within a development plan, as called for in the event of an unsatisfactory PTR, will need to be in accord with Professional Responsibilities policies (also currently in development). As these documents are developed, please consider the following specific guidelines.

Specific Guidelines Regarding Third-Year Post-Tenure Review

- Primary responsibility for the third-year PTR process lies with the unit head.
- The third-year PTR should be commenced by the unit head no later than during the Winter term, in order to allow it to be concluded before the end of the candidate's third-year post-tenure.
- The unit head should contact the faculty member and request the following.
 - A comprehensive and current curriculum vitae.
 - A 3-6 page personal statement by the faculty member discussing his or her professional activities over the period since the last tenure, promotion, or post-tenure evaluation. The personal statement should explicitly address scholarship activity, teaching, and service contributions and accomplishments and should also include a discussion of contributions to institutional equity and inclusion.

With respect to the latter, note that the University broadly interprets institutional equity and inclusion.

- Contributions may address a wide range of equity and inclusion issues.
- These contributions may be made through scholarship, teaching, and/or service.
- Activities are relevant whether carried out at the UO or externally – *e.g.*, within academic or professional associations, non-profit, governmental, and/or private sector organizations.
- Impacts may be at the individual level (work with individual students, faculty, community members, or organizations), programmatic level (establishment or provision of leadership to a formalized program), or institutional level (strengthening of institutional policy or practice toward equity and inclusion).
- The unit head should add to the evaluative file copies of the faculty member’s teaching evaluations received during the period under review, including quantitative summary sheets and signed written evaluations, as well as any peer evaluations of teaching conducted during the review period.
 - Note that the unit head is responsible for ensuring that appropriate peer review of teaching is conducted.
 - Peer review of at least one course every other year is expected for tenured associate professors.
 - As peer reviews are intended to inform the faculty member’s teaching efforts, they should be shared with the faculty member, who may respond in writing if he or she wishes.
- Consistent with unit policy and practice, the file may be reviewed either directly by the unit head, who will then prepare a brief report, or first by a unit committee, which will provide a written report to the unit head that may be used as received or placed in additional written context by the unit head.
- The dean is not involved in third-year PTR beyond approval of the unit’s policy regarding PTR.
- For associate professors, the report should specifically present an honest appraisal of progress toward a successful review for promotion to full professor.
 - Accomplishments and any concerns in the areas of scholarship, teaching, and service should be addressed.
 - While the promotion to full professor is not a required review, it is the natural next stepping stone, with a “normal” timeline of six years. Ideally, then, associate professors would not undergo sixth-year PTR, but rather review in the sixth year for promotion to full professor. The CBA does not call for a salary adjustment following a sixth-year PTR for an associate professor, regardless of the success of that review. Thus, the third-year PTR for associate professors represents a critical review, in that it provides guidance as to career trajectory that will best position an associate professor for successful consideration for full professor in as timely a manner as possible.
 - Redirection of one’s scholarship focus, movement into administrative or other service positions, *etc.* can naturally delay the promotion to full professor, and it is not uncommon for faculty to remain at the rank of associate professor for longer than six years. The PTR process represents a particularly valuable opportunity to engage associate professors who may be giving up on promotion to full professor. Through the process, we can provide collegial guidance toward a path leading to successful review for promotion.
 - If the faculty member has undergone an earlier sixth-year PTR that resulted in creation of a development plan due to unsatisfactory performance (see discussion of sixth-year PTR, below), the faculty member’s success in addressing concerns should be discussed.

- For full professors, while additional promotions are not possible, successful *sixth*-year PTR offers the possibility of a substantial salary increase. Thus, the third-year PTR for full professors represents an important opportunity to provide interim guidance regarding accomplishments and concerns in the areas of scholarship, teaching, and service that will best position a full professor for such an increase.
 - As for associate professors, if the faculty member has undergone an earlier sixth-year PTR that resulted in creation of a development plan due to unsatisfactory performance (see below), the faculty member's success in addressing concerns should be discussed.
- The report should be signed and dated by the unit head and shared with the faculty member, who should also sign and date the report to signify its receipt. The faculty member may provide a written response if he/she desires within 10 days of receipt of the PTR report; an extension may be granted by mutual agreement between the faculty member and the unit head.
- The report and, if provided, response from the faculty member, should be placed in the faculty member's personnel file as maintained at the unit level.

Sixth-Year Post-Tenure Review

The CBA provides considerable detail regarding the sixth-term PTR process in Article 20, Sections 31 and 33 through 38. Unit policies should call for specific procedures consistent with these sections.

Section 31. The primary function of post-tenure review is faculty development. Post-tenure review is not a process to reevaluate the award of tenure. The failure of a faculty member to make substantial progress toward meeting the goals of a development plan established through the post-tenure review process may be evidence of inadequate performance. The post-tenure review process, however, may not be used to shift the university's burden of proof in a proceeding to terminate a tenured faculty member for cause.

Section 33. Sixth-Year Review. Tenured bargaining unit faculty members will have a review in the sixth year following a promotion or a sixth-year post-tenure review.

Section 34. Initiating the Sixth-Year Review. To initiate the review process, the department head, unit head or designee will contact the bargaining unit faculty member during the fall term of the year in which the review will take place and request the following:

- **Election of Criteria:** The criteria the bargaining unit faculty member chooses to be reviewed under, if there has been a change in criteria during the preceding six years, as per Section 30.
- **Curriculum vitae:** A comprehensive and current curriculum vitae that includes the faculty member's current research, scholarly, and creative activities and accomplishments, including publications, appointments, presentations and similar activities.
- **Personal statement:** A 3-6 page personal statement developed by the bargaining unit faculty member evaluating his or her performance measured against the applicable criteria for tenure and promotion. The personal statement should expressly address the subjects of teaching; scholarship, research, and creative activity; and service contributions to the academic department, center or institute, school or college, university, profession, and the

community. The statement should also include discussion of contributions to institutional equity and inclusion.

Please note that this language of the CBA regarding the personal statement might best be interpreted in the same manner as recommended earlier for the third-year PTR, for which we suggest a 3-6 page personal statement by the faculty member discussing his or her professional activities over the period since the last tenure, promotion, or post-tenure evaluation.

- **Sabbatical portfolio:** A report of the accomplishments and benefits resulting from sabbatical, if applicable.

Section 33. Joint or multiple appointments. Tenured faculty members who hold joint appointments will be reviewed by the primary unit. Input from appropriate reviewers (e.g., faculty, chair, dean) of the secondary unit, including performance reviews, teaching evaluations, service and research evaluations, must be considered by the primary unit as part of the review process.

Section 34. Department or Unit Head's Role. The department or unit head or designee will obtain and place in the evaluation file copies of summary reports from the student evaluation process. The file must also include a recent peer evaluation of the bargaining unit faculty member's teaching. Once the department or unit head has obtained all of the appropriate documents and information, he or she will establish a committee of tenured faculty members and provide the committee with access to the documents and information. The department or unit head or designee will then:

- (a) Obtain a report from the faculty committee including an assessment of the bargaining unit faculty member's performance; and
- (b) Prepare his or her own evaluation of the bargaining unit faculty member's performance; and
- (c) Provide the department or unit head's report to the bargaining unit faculty member and allow him or her 10 days from the date of the receipt of the report to provide responsive material or information, which shall be included in the evaluation file; and
- (d) Submit the evaluation file to the appropriate dean.

If a department or unit has or develops a policy or practice of providing the report of the faculty committee to the bargaining unit faculty member, the department or unit head shall do so.

Section 35. Dean's Role. The dean will review the file and may consult with appropriate persons and may obtain and document additional relevant information. Once the dean deems the file complete, he or she will prepare a separate report and recommendation. The dean will share his or her report and recommendation with the bargaining unit faculty member and allow him or her 10 days from the date of receipt of the report to provide responsive material and information, which shall be included in the evaluation file. The dean will then submit the complete evaluation file to the Provost or designee.

The dean should submit only the reports and recommendations, providing the supporting documentation (CV, statement, sabbatical portfolio, and teaching evaluations) only upon request from the Provost or designee.

Section 36. Provost's Role. *The Provost or designee will consider the cumulative evaluations received from the faculty committee, the department or unit head, and the dean. If the Provost or designee concludes that the bargaining unit faculty member's overall performance was in the highest category (e.g. exceeds expectations) then the bargaining unit faculty member will receive at least an 8% increase to base salary, as per Article 26. If the Provost or designee concludes that the bargaining unit faculty member's overall performance was in the second highest category (e.g. meets expectations), then the bargaining unit faculty member will receive at least a 4% increase to base salary, as per Article 26. If the Provost or designee concludes that the bargaining unit faculty member's overall performance is unsatisfactory, the dean and the department or unit head shall consult with the bargaining unit faculty member and recommend to the Provost a development plan for demonstrable improvement. Such development plan should be implemented as soon as practicable after a determination of unsatisfactory performance and have a goal of reaching satisfactory performance by the next scheduled 3-year post-tenure review.*

General Comments and Specific Guidelines Regarding Sixth-Year Post-Tenure Review

The general comments and specific guidelines provided above regarding the third-year PTR are largely relevant to the sixth-year PTR as well. Primary differences include the following.

- The candidate is required to provide a report of the accomplishments and benefits resulting from sabbatical leave, if such leave was taken during the preceding six-year period.
- The sixth-year PTR is expected to be a deeper review of the faculty member's scholarship, teaching, and service, and individual unit policies may call for the inclusion of additional material in the evaluation file. For example, current standard practice in the College of Arts and Sciences is for the candidate to provide a portfolio of publications (or documentation of other scholarship activities) and information regarding service contributions. Unit policies must specifically address the matter of what is to be included in the file.
- Successful sixth-year PTR of a full professor carries an expectation of an increase in base salary. As noted earlier, however the CBA does not call for a salary adjustment following a sixth-year PTR for an associate professor, regardless of the success of that review.
 - A full professor placed in the academic unit's highest category of performance for scholarship, teaching, and service is expected to receive an increase of at least 8% of base salary. Depending on the academic unit, the highest category of performance may be defined as "exceeding expectations," "fully satisfactory," or some related term.
 - A full professor placed in the academic unit's next highest category of performance for scholarship, teaching, and service is expected to receive an increase of at least 4% of base salary. Depending on the academic unit, this category of performance may be defined as "meeting expectations," "satisfactory," or some related term.
 - A full professor placed in an unsatisfactory category of performance for scholarship, teaching, or service is not guaranteed an increase in base salary. Depending on the academic unit, this category of performance may be defined as "failing to meet expectations," "unsatisfactory," or some related term.
 - For a full professor receiving a range of performance evaluations for scholarship, teaching, and service (e.g., exceeding expectations for scholarship, meeting expectations for teaching,

failing to meet expectations for service), the academic judgment of the unit head and/or dean will determine the magnitude of any increase in base salary.

- As noted in Section 38, a development plan is required for faculty who are not achieving a satisfactory level of performance. The plan should be developed with appropriate consultation and discussion, and could include restructured appointments (*e.g.*, modification of teaching assignments) if appropriate. Ideally, there will be consensus among the faculty member, the unit head, and the dean regarding the development plan, but if consensus is not possible, a plan receiving the dean's approval will apply.
- The reports and, if applicable, the professional development plan should be placed in the faculty member's personnel file as maintained at the unit level and also submitted to Human Resources for inclusion in the permanent personnel file.
- If a sixth-year PTR results in creation of a professional development plan, future PTR for the faculty member must include consideration of the extent to which the terms of the development plan have been met. However, progress toward meeting the goals of such a development plan need not and should not be evaluated solely within the context of the PTR process. As established by Section 31, failure to make substantial progress toward meeting the goals of a development plan may be evidence of inadequate performance.