

AGENDA

UW-GREEN BAY FACULTY SENATE MEETING NO. 4 (Special meeting)

Monday, November 14, 2016

Christie Theatre, 4:00 p.m.

Presiding Officer: Patricia Terry, Speaker

Parliamentarian: Steve Meyer

1. CALL TO ORDER

2. CONTINUING BUSINESS

- a. Revised Post Tenure Review Policy [page 2]
Presented by David Voelker

3. ADJOURNMENT

**Guidelines for Periodic Post-Tenure Review
in Support of Tenured Faculty Development
(passed by UWGB Faculty Senate on 2016-10-12)**

Note: The Faculty Senate originally passed this policy, as required by Regent Policy Document 20-9, on 10/12/16, after the policy had been vetted multiple times by UW System Legal Counsel. At the UW Chancellor's meeting on 10/28/16, however, President Ray Cross informed the chancellors that he and the Regents would not accept any policy that did not include an administrative-level review for all faculty, including those deemed to meet expectations by their colleagues. The revised policy below should comply with this belatedly announced demand. The changes to the policy as passed on 10/12 appear in section III.10, along with one word added to section III.11.b. UW System Legal Counsel also required the inclusion of III.10.d. All of these additions are highlighted below.

This policy has been created in pursuance of Regent Policy Document 20-9: Periodic Post-Tenure Review in Support of Tenured Faculty Development (adopted 3/10/2016).

I. DEFINITIONS

1. For the purposes of this document, the following definitions are used:
 - a. "Annual review" refers to any review of a faculty member that is carried out annually in accordance with University or System policies.
 - b. "Merit review" refers to the periodic review of a faculty member, carried out by their unit, for the purposes of determining a merit score for compensation increases, when available.
 - c. "Post-tenure review" refers to the review of a tenured faculty member every five years, starting with the fifth academic year following the awarding of tenure.
 - d. "Unit" refers to the primary budgetary unit to which a given faculty member belongs, viz., the unit that holds the budgetary line for the given faculty position.

II. PURPOSE AND PRINCIPLES

1. Post-tenure review shall be a formative process with the goal of continuing to develop and support, to the fullest extent possible, the talents and aspirations of each faculty member. The review shall not infringe on existing faculty rights and protections, including those of academic freedom, as defined by the University of Wisconsin–Green Bay Faculty Handbook. The review shall not be construed as a re-tenuring process.
2. The University should have an appropriately funded faculty development program that is available to all faculty members to support their professional development at any time during their careers. Evaluation of professional development and scholarly and creative activities should take into consideration

the available resources and support (e.g, a freeze on travel or a lack of funds for travel or research, etc.).

3. These guidelines are intended to provide a framework and basic procedures for post-tenure review. Each unit is responsible for generating more specific policies, evaluation criteria, etc., consistent with the basic guidelines articulated herein.

III. PROCEDURES

1. Post-tenure review is a separate and distinct process from any annual and merit reviews conducted by a unit. However, the post-tenure review process fulfills any annual review requirement for the year in which it is carried out, and, at the discretion of the unit, a review for merit may happen at the same meeting as the post-tenure review. Moreover, a faculty member seeking promotion to full professor may use review and evaluation for promotion to meet the requirements for post-tenure review. The substitution is permissible only when promotion is sought in the same year as, or sooner than, the faculty member's scheduled post-tenure review. An individual receiving a positive recommendation for promotion consideration will be awarded a "meets expectations" status for the post-tenure review and will not be required to undergo another post-tenure review for five years. If the individual receives a negative recommendation for promotion consideration, the executive committee will subsequently vote on the post-tenure review determination as specified in Section III.9 below. A negative recommendation for promotion shall not be construed as a determination that the faculty member "does not meet expectations."
2. Post-tenure review shall be performed every fifth year after the year of the faculty member's promotion to tenure. The review may be deferred upon the request of a faculty member only with the approval of the Provost/Vice Chancellor for Academic Affairs, for unusual circumstances such as when the review would coincide with a sabbatical, other approved leave, promotion review, announced retirement, or an appointment to a full-time administrative position. In such cases, the Provost will specify the new review cycle that applies to the faculty member. As a general rule, a faculty member who assumes a full-time administrative position should have a new five-year review schedule begin upon resumption of normal faculty duties.
3. The review shall be based upon the faculty member's current activities and the performance of the faculty member since their last post-tenure review, or since gaining tenure (for faculty who are having their first post-tenure review). The updated personnel file of the faculty member shall be used for the documentation of appropriate activities. This file shall contain the following materials, in addition to any other materials required by the relevant unit's policy: updated curriculum vita, Professional Activity Reports for the period under review, a summary of student evaluation data for the period under review, any annual and merit review memos from the period under review, and a one-page statement addressing the three areas of evaluation (see below).

4. The outcome of the post-tenure review should be consistent with the evaluations of materials from any annual and merit reviews from the same time period while taking into consideration materials from any unreviewed period.
5. Faculty shall have at least three-month's notice of the intent of a unit to perform their post-tenure review. However, failure to meet this notice requirement does not obviate the requirement to conduct and participate in the review. If notification requirements have not been met, the faculty member may accept a review date with less than three-months notice, or the review may be delayed, so long as the review takes place before the end of the academic year for which the faculty member is due to be reviewed.
6. Each unit shall develop criteria by which they will evaluate their tenured faculty. The criteria should be based upon the professional obligations of the faculty of the unit. The criteria should: allow for the effective evaluation of the tenured faculty member's performance; be consistent with the mission and expectations of the university and the faculty member's college and unit; and be sufficiently flexible to permit shifts in the faculty member's professional emphasis. All criteria must fall within the following three categories: teaching; scholarly and creative activities; and university and community service. Minimal standards include:
 - a. Teaching: Faculty consistently meet all of their classes and hold appropriate office hours (or maintain equivalent engagement with students for online courses); they continually reflect on their teaching and respond to constructive feedback; and they update their course content and pedagogy as appropriate, in light of scholarly and pedagogical developments in their fields.
 - b. Scholarly and Creative Activities: Faculty maintain familiarity with recent developments in their disciplinary field(s) and maintain scholarly or creative engagement, whether through attending conferences, publishing, or otherwise participating in scholarly or creative communities or dialogues.
 - c. Departmental, Institutional, and Community Service: Faculty contribute to departmental, college, university, professional, and community life through participation in committees, panels, forums, projects, etc. While regular participation is expected at the unit and departmental level, contributions to other groups will vary over time, and major commitments in one area (*e.g.*, serving as a committee chair) may compensate for fewer contributions in other areas (*e.g.*, community-level service).
7. Post-tenure reviews will usually occur during the first half of the spring semester. Supporting documentation to be considered during the review should be available to the review committee at least one week before the scheduled review.
8. The review shall be conducted by the executive committee of the unit, or by a review committee agreed upon by the executive committee, employing procedures to be determined by the unit.
9. Based upon the materials submitted for review, the review committee should consider whether the faculty member under review has discharged conscientiously and with professional competence the duties appropriately

associated with the faculty member's position and then find the member to either meet expectations or not, as follows:

- a. Meets expectations. This category is awarded to those tenured faculty members whose performance reflects the expected level of accomplishment over the previous five years.
- b. Does not meet expectations. This designation should be given 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.

10. For faculty members who receive the "meets expectations" award:

- a. The review committee shall produce a written report for each faculty member reviewed. The report **should summarize the accomplishments of the faculty member and** address how the university can support their professional development goals. The reviewed faculty member shall be given access to the report and shall have the opportunity to provide a written response to the report. The report and any responses to the report shall be provided to the faculty member, their unit chair, and Dean.
- b. **The Dean, upon the full examination of the faculty member's post-tenure review documentation, the report of the review committee, and any statements from the faculty member under review addressing the findings of the review committee, must either concur with or dissent from the findings of the review committee. If the Dean concurs with the "meets expectations" determination, then the review process is complete, and the Dean shall notify the Provost/Vice Chancellor for Academic Affairs of the outcome.**
- c. **If the Dean dissents from the "meets expectations" finding of the review committee, then the Dean shall inform the faculty member under review and the review committee in writing of the reasons for this decision, based upon the criteria established under III.6 above. The faculty member and/or the review committee shall have thirty days to submit a response (unless granted an extension by the Dean). The Dean shall forward the case materials and any responses to the Chancellor (or the Chancellor's designee) for consideration, at which point the review process continues in accordance with III.11.c and subsequent guidelines stated below.**
- d. **The faculty member shall be eligible for professional development funds and merit and star salary adjustments during the period leading up to their next post-tenure review, subject to availability of resources.**

11. For faculty members who receive the "does not meet expectations" designation:

- a. The review committee shall produce a written report identifying the deficiencies identified in the record that require remediation before a "meets expectations" award can be given. Said report shall specify which of the three categories (teaching, scholarship and creative activity, and/or university and community service) needs improvement for the faculty member to be recognized as meeting expectations. The faculty member will be given the opportunity to provide the review committee with a written statement addressing the findings of the review committee. (The faculty

member's response shall be submitted within thirty days, unless an extension is granted by the Dean.) The report, along with any statements by the faculty member under review, shall be forwarded to their unit chair and Dean.

- b. The Dean, upon the full examination of the faculty member's post-tenure review documentation, the report of the review committee, and any statements from the faculty member under review addressing the findings of the review committee, must either concur with or dissent from the findings of the review committee and forward the case to the Chancellor (or the Chancellor's designee) for consideration.
- c. The Chancellor (or designee) may, upon review of the case, inform the faculty member that a finding of "meets expectation" has been awarded to the faculty member or may identify which deficiencies must be addressed in a remediation plan.
- d. Upon the request of the Chancellor (or designee) to develop a remediation plan, the faculty member, in consultation with their Dean, will develop a plan to address the deficiencies identified by the Chancellor (or designee).
 - i. The primary focus of the remediation plan shall be developmental and to provide the faculty member with appropriate support from the unit, department, or Dean as applicable.
 - ii. The plan will contain one or more specific measureable achievements for each deficiency identified by the chancellor or designee. The plan will specify what array of achievements will constitute the completion of the plan.
 - iii. The timeline for the completion of the plan should not be more than three consecutive semesters (not including summer terms) starting at the beginning of the semester after the chancellor or designee has requested a remediation plan. In remediation plans related to a performance shortfall in research, where more than three academic semesters may be necessary to correct identified deficiencies, an extension of one academic semester shall be permitted only with the approval of the Chancellor, which shall trigger a notification of that extension to the UW System Administration Vice President for Academic and Student Affairs.
 - iv. The remediation plan should indicate that: 1) progress meetings will be scheduled with the Dean, the chair, and the faculty member near the conclusion of each semester during which the plan is in effect in order to help determine progress and identify additional improvement resources that may aid the faculty member; and 2) a final remediation follow-up meeting will occur between the Dean, the chair, and the faculty member after the deadline, but before the start of the next academic semester, and not to exceed 21 calendar days past the deadline (e.g., if three semesters are provided, within 21 calendar days of the close of the third semester to allow for student evaluations to be accessed, etc.). At the meeting, the Dean will consult with the faculty member and the chair about the evidence indicating

that the faculty member has met or not met the obligations of the remediation plan. The Dean may request additional evidence from the unit, the faculty member, and other sources (such as a publisher) prior to or following the meeting.

- v. The faculty member is also advised to consult with the Secretary of the Faculty and Staff (SOFAS), as University Ombudsperson, throughout the remediation period.
 - vi. The faculty member may submit to the Dean evidence of the completion of the remediation plan at any time during the timeline of the remediation plan. Upon review of this material and following the remediation follow-up meeting described in III.11.d.iv above, the Dean may:
 - 1. deem the remediation plan to be completed and restore the faculty member to a status of “meets expectations.”
 - 2. deem the evidence to be insufficient to constitute the completion of the remediation plan and provide the faculty member with specific reasons for this determination.
 - vii. If the remediation plan is not completed to the satisfaction of the Dean by the end of its timeline, the Dean may file a complaint against the faculty member to the Chancellor regarding the faculty member’s failure to meet the expectations of their employment. Upon review of the complaint, the Chancellor, after consulting with the Dean, shall determine whether sanctions are necessary and, if so, shall pursue the appropriate sanctions, in compliance with UWGB 6.01 (for disciplinary action) or UWGB Chapter 4 (for dismissal).
 - viii. Faculty members who are completing a remediation plan, or who have been found to have not met the conditions of a remediation plan, are not eligible for merit-based pay increases. After the faculty member is restored to “meets expectations” status, the faculty member is once again eligible for merit pay, but retroactive pay cannot be awarded.
12. A full written record of each faculty member’s post-tenure review shall be provided to the Dean and Chancellor (or designee). Information and documentation relating to the review shall be maintained by the Dean and disclosed only at the discretion, or with the explicit consent, of the faculty member, unless required by business necessity or by law.
13. Each unit chair is required to report annually to the Dean and Chancellor (or designee) that all post-tenure reviews for tenured faculty in their annual cycle have been completed. The Chancellor (or designee) has responsibility for ensuring the reviews are completed on schedule.
14. The reviews conducted and remediation plans developed in accordance with this policy are not subjected to the grievance process set forth in Chapter UWS 6.02, Wis. Admin. Code.