

University of Wisconsin-Superior Post-Tenure Review Policy

Provost Named Chancellor's Designee March 29, 2017

Policy Approved by Board of Regents February 2, 2017

Policy Approved by Faculty Senate December 20, 2016

*This is meant to replace **UW-Sup 7.4.6 Post-tenure Review***

Scope

This policy applies to all University of Wisconsin-Superior 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, nor is it intended as a re-evaluation of tenure.

Purpose

The purpose of this policy is to reflect the Board of Regents' stated 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.

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.

DEFINITIONS

Department or School

"Department" or "School" means a group of faculty members recognized by the faculty and Chancellor of the institution, and the Board of Regents, as dealing with a common field of knowledge or as having a common or closely related disciplinary or interdisciplinary interest.

In those personnel matters that these Rules delegate to the Department or School, the Department has the prerogative of organizing its internal procedures for the implementation of rules.

Department(s) or School(s)

More than one Department or School may be involved in the post-tenure review of faculty with split appointments.

Faculty

"Faculty" means persons who hold the rank of professor, associate professor, assistant professor, or instructor in an academic department or its functional equivalent in an institution.

Faculty Peer

A faculty peer shall be defined as a ranked member (professor, associate professor, assistant professor, or instructor, as defined in Appendix A UW-Sup 7.4.4) with at least a half-time teaching, research, and/or Outreach appointment in the department. Department faculty with more than half-time administrative reassignment shall not be considered peer faculty for the duration of the assignment. Academic staff members designated as having faculty status and academic staff with back-up appointments are not faculty peers. The Department chair or School director shall be considered peer faculty as long as he or she meets the peer faculty definition.

Faculty Status

By action of the appropriate faculty body and Chancellor of an institution, members of the academic staff may be designated as having "faculty status."

"Faculty status" means a right to participate in faculty governance of an institution in accordance with the rules of the institution. Faculty status does not confer rank or tenure, or convert an academic staff appointment into a faculty appointment.

Post-Tenure Review Committee

A committee of tenured faculty that performs faculty post-tenure reviews. Committees shall be comprised of a minimum of three tenured faculty members from the Department(s) or School(s) in which the reviewed faculty is tenured. The Personnel Council of the University of Wisconsin-Superior will also appoint additional tenured faculty reviewers from outside the Department(s) or School(s) in the event that three Department or School members are not eligible or available to perform the review. The Post-Tenure Review Committee will elect a Chair for the purpose of the review. If at any time during the Post-Tenure Review process a committee member needs to be replaced, the replacement will be appointed by the Personnel Council of the University of Wisconsin-Superior.

POST-TENURE REVIEW PROCESS

The post-tenure review process is separate from and serves a different purpose than the annual performance review process. While the purpose of the Annual Performance Review, as defined in UWS 7.4.2, is to determine salary increases, and to provide information for retention and promotion decisions, the purpose of the post-tenure review process is to provide opportunities for more long-range reflection and planning towards professional development.

The post-tenure review period begins in the academic year following the granting of tenure and occurs every five years thereafter. 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.

Faculty will be notified by their Department chair or School director at least 90 calendar days before the Post-Tenure Review is conducted. However, failure to meet this notice deadline does not obviate the requirement to conduct and participate in the review. Faculty who do not provide review materials within the 90 day period will still be subject to review (without the materials).

Criteria by which the tenured faculty member's performance is to be evaluated will be defined by the evaluating departments or school's personnel rules/bylaws, will be consistent with the mission and expectations of the department or school and university, and will be sufficiently flexible to permit shifts in professional emphasis. However, any criteria must fall within the three

categories of teaching, scholarship/research/creative activity, and service.

Review procedures shall include a review of qualitative and/or quantitative evidence of the faculty member's performance since granting of tenure or the last post-tenure review. Appropriate evidence shall be defined by the personnel rules/bylaws of the Department(s) or School(s).

The chair or designee of the Post-Tenure Review Committee shall provide the faculty member, the chair of the Department or director of the School, the Dean of Faculties and Graduate Studies, and the Provost with the conclusion of the review ("meets expectations" or "does not meet expectations" as defined below) and a written summary of the review within 10 calendar days of the review meeting. The summary shall inform the faculty member of his/her right to respond to the review.

The summary of the review will include the designation of one 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.

Within ten days of receiving the written summary of the review, the faculty member may provide a written response to the summary to the Department Chair or School Director, the Post-Tenure Review Committee, and/or the Dean.

The Dean of Faculties and Graduate Studies shall conduct a sufficiency review to ensure that the Post-Tenure Review Committee's review was conducted according to the criteria and procedures established by the Department's or

School's personnel rules/bylaws and that the results of the review are within reasonable expectations for a faculty member. In the event that the Dean of Faculties and Graduate Studies determines the review was insufficient, he/she shall provide the reasons to the Post-Tenure Review Committee in writing why the review was insufficient within five working days of receiving the report. The Post-Tenure-Review Committee may provide a response addressing the Dean of Faculties and Graduate Studies concerns about the sufficiency of the review within 10 calendar days. Following the sufficiency review, the Dean will perform his/her own review consistent with the personnel policies of the Department or School, and shall indicate whether or not he/she agrees or disagrees with the decision of the Post-Tenure Review Committee. This written summary must be provided to the Post-Tenure Review Committee Chair or designee, the Department Chair or School Director, and the faculty member within 20 calendar days following the Post-Tenure Review meeting. The faculty member may provide a written response to the Dean within 20 calendar days upon notification of the decision. Within 50 calendar days following the Post-Tenure Review meeting, the Dean of Faculties and Graduate Studies will forward his/her sufficiency review/decision/summary, the Post-Tenure Review Committee's summary, and any written response statements from the Post-Tenure Review Committee and/or faculty member to the Chancellor (or designee). The Chancellor (or designee) will review all Post-Tenure Review materials and recommendations and inform the faculty member in writing, within 60 calendar days following the Post-Tenure Review meeting, of the final determination of the review.

REMEDIATION PROCESS

In the event that the Chancellor's (or designee's) review results in a "does not meet expectations" designation for the faculty member, the Dean of Faculties and Graduate Studies, the Department chair(s) or School director(s), and the faculty member shall develop a written plan for professional development to address all issues identified in the review. This plan shall be written no later than 30 calendar days after the Chancellor (or designee) has informed the faculty member of the decision. This plan shall be the product of mutual discussion between the faculty member, the Department chair(s) or School director(s), and the Dean of Faculties and Graduate Studies, shall respect academic freedom and professional self-direction, shall be flexible enough to allow for subsequent alteration, and shall be consistent with performance criteria defined in the personnel rules/bylaws of the Department or School. The primary focus of the remediation plan shall be developmental and provide the faculty member with appropriate support from

the department or college as appropriate. Such a plan could include a review and adjustment of the faculty member's responsibilities, the development of a new research program or teaching strategy, a referral to campus resources, an assignment of a mentoring committee, the institution of mandatory annual reviews for a specified period, written performance expectations, and/or other elements. The remediation plan shall contain a beginning and ending date and continue no longer than 3 semesters before a determination is made regarding the outcome.

The process for determination of the successful completion of the remediation is as follows.

1. The faculty member will submit documentation of his/her activities that fulfill expectations identified in the remediation plan to the faculty member's Post-Tenure Review Committee. This documentation will include any information that the faculty member deems relevant. This documentation can be provided at any time during the remediation period.
2. The Post-Tenure Review Committee will review the materials submitted, and will make a determination as to whether the expectations identified in the remediation plan have been satisfied. The Post-Tenure Review Committee will formulate a written explanation for their determination and will then submit the faculty member's documentation along with their (Post-Tenure Review Committee's) determination to the faculty member, the Department chair(s) or School director(s), and the Dean of Faculties and Graduate Studies no later than 10 calendar days following the end of the remediation period.
3. The Dean of Faculties and Graduate Studies will review the materials submitted and the Post-Tenure Review Committee's determination. If the Dean of Faculties and Graduate Studies determines that the remediation plan has been satisfied, the faculty member's performance is to be considered to "meet expectations." The Dean of Faculties and Graduate Studies will notify the faculty member and the Post-Tenure Review Committee of this decision no later than 20 calendar days following the end of the remediation period.

4. If the Dean's conclusion is that the faculty member has not adequately satisfied the remediation plan, the decision is transmitted to the Chancellor (or designee), and written reasons for this decision provided to the faculty member, the Post-Tenure Review Committee, and the Department chair(s) or School director(s) no later than 20 calendar days following the end of the remediation period.
5. The Chancellor (or designee) will then conduct an evaluation of the faculty member's documentation. The faculty member can provide the Chancellor an additional written statement addressing the decisions made by the Post-Tenure Review Committee and the Dean of Faculties and Graduate Studies. If the Chancellor (or designee) determines that the remediation plan has been adequately satisfied, the faculty member's performance is to be considered to "meet expectations." The faculty member will be notified in writing by the Chancellor (or designee) no later than 40 calendar days following the end of the remediation period.
6. If the Chancellor (or designee) determines that the faculty member has failed to meet the expectations set forth in the remediation plan, discipline may be imposed, as appropriate, up to and including dismissal for cause under Chapter UWS 4.

ADDITIONAL INFORMATION

Timelines described in this policy shall pause during national holidays and periods during which reviewers are neither on contract nor otherwise receiving compensation, including off-contract summer periods.

Faculty members are encouraged to make use of available assistance prior to and following Post-Tenure Reviews. This assistance includes but is not limited to peer mentorship, the resources of the Center for Excellence in Teaching and Learning, professional development grants, and the like.

A full, written record of the Post-Tenure Review is to be housed by the Office of Human Resources containing the results of a faculty member's Post-Tenure Review record and any ensuing actions, as described above, and the written record is to be provided to the Dean of Faculties and Graduate Studies and Chancellor (or designee). Information and documentation relating to the review shall be maintained by the office of Human Resources and disclosed otherwise only at the discretion, or with the explicit consent, of the faculty member, unless required by business necessity or by law.

Department chairs and school directors will report annually to the Dean of Faculties and Graduate Studies and Chancellor (or designee) that all periodic Post-Tenure Reviews for tenured faculty in that annual cycle have been completed. The Chancellor (or designee) has responsibility for ensuring the reviews adhere to the schedule outlined in this policy, including the stages at which comments/decisions and dissemination of those comments/decisions, are completed.

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.