

Post-Tenure Review

Effective: November 1, 2006
Responsible Office: Office of the Vice President of Academic Affairs and Research
Vice President: Michel R. Dahlin
Approved: *(original signed)*

President Hank Brown

Brief Description: Revisions to incorporate changes suggested by Advisory Committee on Tenure Related Processes

INTRODUCTION

In the summer of 1996, in response to legislative concerns about tenure, President John C. Buechner appointed an ad hoc committee of faculty and administrators from the four campuses of the University of Colorado. In April of 1997, the Committee on Tenure and Post-tenure Review submitted its report and recommendations on post-tenure review (PTR) to the President. At its meeting on October 16, 1997, the Board of Regents adopted amendments to the [Laws of the Regents \(Section 5B.4\[B\]\)](#) regarding the evaluation of faculty. These revisions changed existing policy regarding post-tenure review and added to annual merit evaluations the possibility of a performance improvement agreement and a development plan for faculty performing inadequately. This policy was further revised to incorporate the recommendations of the Advisory Committee on Tenure-related Processes of 2006.

The purpose of this administrative policy statement is to implement both the changes made in the Laws regarding evaluation of faculty and the major recommendations for revising the PTR process made by the ad hoc committee on post-tenure review. This policy replaces the Administrative Policy Statement on Post-tenure Review of Spring, 1984. It is consistent with the principles adopted by the Faculty Council at its meeting on June 19, 1997, and with the Laws of the Regents as revised on October 16, 1997.

DEFINITIONS

Post-tenure Review (PTR) is a review of a tenured faculty member’s performance record undertaken every five years. This *regular review* is undertaken by the department/primary unit and it determines whether the faculty member is meeting the professional standards outlined by the department/primary unit’s policy on written standards and criteria.

Triggered Review refers to a review that is undertaken when a tenured faculty member receives an annual evaluation of “below expectations.”

Extensive Review is the review that is undertaken when a faculty member has received two below expectation ratings within the previous five years or when a faculty member who has undertaken a Performance Improvement agreement did not achieve an evaluation of meeting expectations or better by the end of the agreement.

Summary Evaluation refers to the performance rating (outstanding, exceeding expectations, meeting expectations, or below expectations) given a faculty member annually as part of the annual merit evaluation process, which is based on her/his combined performance in teaching, research/creative work, clinical work, and service.

Development Awards refers to awards given to a limited number of faculty who successfully complete post-tenure review. The award is intended to provide modest assistance for faculty development in the areas of teaching, research/creative work, clinical activity, and/or service. Each campus shall develop, or have its schools and colleges develop, criteria and processes for these awards.

POLICY STATEMENT

1. Tenure is granted with the expectation of continued professional growth and ongoing productivity in teaching, research/creative work, clinical activity, and service. Thus, every tenured faculty member has a duty to maintain professional competence. The purposes of PTR are: (1) to facilitate continued faculty development, consistent with the academic needs and goals of the University and the most effective use of institutional resources; and (2) to ensure professional accountability by a regular, comprehensive evaluation of every tenured faculty member's performance.
2. Faculty members who fail to participate in any aspect of the post tenure review process, as required, may be subject to sanctions for insubordination and dereliction of duty.
3. Each campus will develop procedures for appropriate peer evaluation during PTR and for appeals of the PTR evaluation, and for granting PTR development awards. Any PTR procedures developed at the college or department level must conform to the campus procedures and this administrative policy statement. The PTR evaluation will be conducted by appropriate faculty peers within the campus, either the primary unit faculty or the faculty of the appropriate college personnel review committee. This committee shall be called the post-tenure review committee. Other units may be consulted as appropriate. The post-tenure review process begins at tenure with the first PTR occurring five years after the faculty member is continuously tenured and recurs at five year intervals unless interrupted by promotion review. Promotion serves to re-start the PTR clock. Faculty undergoing PTR should not, in that year, serve on the PTR evaluation committee. Each faculty member shall be informed in writing of the results of the evaluation by the department chair or dean, depending upon whether the PTR is undertaken by the primary unit or school/college.
4. Existing PTR procedures (on the campuses, colleges/schools, and primary units) must be amended to conform to this administrative policy statement and the amended procedures must be approved by the appropriate dean and the vice chancellor for academic affairs.
5. The PTR committee shall review the professional plan developed by the faculty member at the time of tenure or at the last PTR to see whether the faculty member has been meeting the self-set goals and performance objectives of the plan. Faculty members will develop their initial professional plan within twelve months of the award of tenure. (Professional plans should support the goals of the primary unit. See the administrative policy statement on the professional plan.) The PTR committee will provide an overall evaluation of the faculty member's performance as either outstanding, exceeding expectations, meeting expectations, or below expectations in teaching, research/creative work, clinical activity, and service, and shall provide a narrative explanation of that evaluation. The PTR committee will also review the faculty member's new plan for the next five years. The primary unit's written standards for reappointment, tenure, and promotion describe the nature and measures of achievement in teaching, research/creative work, clinical activity, and service within the discipline (as required by the administrative policy statement, "[Procedures for Written Standards and Criteria for Pre-Tenure Faculty](#)," 7/1/89) that should be employed in PTR evaluations. Primary units shall revise their written standards to include guidelines/descriptions of "meeting expectations," the standard of acceptable professional performance.
6. The level of review to be undertaken – Regular-Five-Year or Triggered – will be determined by the record of annual "Performance Ratings for Faculty," the non-confidential summaries of annual merit evaluations (mandated by the administrative policy statement, "[Performance Ratings for Faculty, Unclassified Staff/Administrators, and Officers](#)," 7/1/89). The annual merit evaluation, which normally is based on peer review, remains the basic annual instrument of faculty evaluation. Because the annual Performance Rating summary is the document that

may trigger an Extensive Review, faculty who do not agree with their annual Performance Ratings may request reconsideration of the rating through established procedures in the department or college/school.

PROCEDURES FOR REVIEW

A. Regular Five-Year Review

1. Faculty who have achieved summary evaluations of "meeting expectations" or better since the last PTR (or since receiving tenure if this is their first PTR) will undergo Regular Review. Departments or Colleges/Schools may wish to develop coaching programs for faculty with one or more years of "below expectation" in a single area. A differentiated workload might also be considered.
2. In a Regular Five-Year Review, the Post-Tenure Review committee examines the five previous annual performance evaluation reports, including the FCQs, peer review of teaching, and, if desired, other types of teaching evaluation, the curriculum vitae, and the faculty member's Professional Plan(s) from that PTR cycle. (See the administrative policy statement on "The Professional Plan for Faculty.") In addition, the faculty member will provide the PTR committee with an updated Professional Plan for the next five years.
3. The PTR committee will write a brief report stating whether the candidate is meeting expectations or not. The report will summarize the unit's findings regarding the faculty member's adherence to the previous Professional Plan(s) (taking into account the differentiated workload, where present), meeting the department's/primary unit's standards, and conclusions about his/her productivity and contributions to the University in teaching, research/creative work, and service. A copy of this report will be given to the faculty member. The report is an opportunity to evaluate the faculty member's contributions over the past 5 years to the unit, the university, the community (where relevant) and the profession. The reports will be forwarded to the dean, who will provide a summary report and copies of the individual reports to the academic vice chancellor on the results of all the post-tenure reviews in the college/school. A copy of the PTR report will be placed in the faculty member's personnel file. In the case that the PTR committee determines that the faculty member is not "meeting expectations," the faculty member must undertake a Performance Improvement Agreement. (See Section C.)
4. To contribute toward the developmental purpose of PTR, each college and school shall have a PTR development fund to which faculty undergoing PTR (or who have successfully completed PTR) may apply. A faculty committee shall make recommendations to the dean who shall make the final determination. In evaluating these applications, the committee should consider the return on investment to the college that might be anticipated. These modest awards are designed to assist faculty by providing training, travel, and other resources needed to move forward, as outlined in their Professional Plans. Colleges and schools shall develop their PTR development fund from existing or new resources and shall begin distributing funds by 2010.

B. Triggered Review

Faculty who receive a summary evaluation of "below expectations" at any time during the five year PTR cycle are required to meet with members of their primary unit and/or the unit head, as determined in the by-laws of the primary unit, to identify the causes of the unsatisfactory evaluation and to plan and implement a written Performance Improvement Agreement (PIA) to remedy their problems. ([See Section C below](#))

C. The Performance Improvement Agreement (PIA)

1. Faculty who receive a "below expectations" summary rating as the result of their annual performance evaluation must participate in developing and implementing a Performance Improvement Agreement (PIA) designed to improve their performance. Faculty members who do not agree with the below expectations rating may request a peer review of their annual performance record using the established primary unit process or a specific written process developed by the unit for this purpose. Subsequently, faculty members who believe the primary unit's evaluation is mistaken may appeal the rating through established grievance procedures in the

college/school. No action will be taken to begin a PIA until this appeal process, if invoked, is completed. This appeal process should be completed within six weeks or less from the date it is initiated by the faculty member.

2. Working with the primary unit head or an appropriate committee of the primary unit (as determined by primary unit policy), the faculty member develops a PIA that includes specific goals, timelines, and benchmarks that will be used to measure progress at periodic intervals. Usually, PIAs will be established for one year. But, if research deficiencies warrant longer, the PIA may be set up for two years. The campus administration shall designate an advisor or resource office to provide advice to the faculty member and to the primary unit head/committee on best practices and models for PIAs and appropriate benchmarks. The next annual merit evaluation following the term of the PIA shall address whether the goals of the PIA have been met.

3. If the goals of the PIA have been met, as evidenced in the next annual merit evaluation, the faculty member continues in the current five-year post-tenure review cycle.

4. If the goals of the PIA have not been met at the next annual merit evaluation, an extensive review process shall be initiated.

D. Extensive Review

1. Faculty who have received two "below expectations" ratings within the previous five years or whose PIA did not result in an evaluation of "meeting expectations" or better will undergo Extensive Review by the primary unit. Faculty members who do not agree with the below expectations rating may request a peer review of their annual performance record using the established primary unit process. In units without such a process for this purpose, the unit shall develop and formally adopt a process for this review. Subsequently, faculty members who believe the primary unit's evaluation is mistaken may appeal the rating through established grievance procedures in the college/school. No action will be taken to begin an Extensive Review until this appeal process, if invoked, is completed. This appeal process should be completed within six weeks or less from the date the second "below expectations" rating is received. Failure by the faculty member to participate in developing or implementing the Extensive Review is insubordination and dereliction of duty and will be subject to sanctions, *which include the possibility of termination of employment.*

2. Because Extensive Review is designed to assist faculty who are falling below the level of satisfactory professional performance, it takes place whenever a faculty member establishes a pattern of unsatisfactory performance, i.e., two evaluations of performance "below expectations" in a five year period.

3. For an Extensive Review, the primary unit will examine: (1) the five previous annual performance evaluation reports; (2) the FCQs from those years, peer evaluations, and, if desired, other types of teaching evaluation; (3) evidence of research/creative work and clinical productivity; (4) the faculty member's previous Professional Plan (and any amendments to the plan, and differentiated workload agreements, where present); (5) the faculty member's self-evaluation of performance as it relates to the Professional Plan(s); (6) record of service activities; and (7) any other material the faculty member would like the unit to consider.

4. The primary unit prepares an evaluative report of the faculty member's teaching, research/creative work, clinical activity, and service based upon its review of the materials and information covering the period in question. If there is disagreement about the faculty member's performance in research/creative work, or if the faculty member under review or the primary unit so requests, the review will also include evaluations from qualified persons external to the University. In this case, the faculty member and the primary unit shall jointly develop a list of external reviewers who will be asked to evaluate the faculty member's performance in research/creative work.

5. Primary units, colleges/schools, and campuses may require other materials for Extensive Reviews, if appropriate, but the aim should be to keep the process efficient and effective.

6. The Development Plan

- a. Upon completion of the evaluative report, the faculty member, working with the appropriate primary unit committee, shall write a Development Plan for the next one or two years with specific goals and actions designed to address the areas of deficiency identified in the Extensive Review process. The Development Plan must address the teaching, research/creative work, clinical activities, and service assignments anticipated during the period of the plan. It must describe performance goals in light of identified deficiencies, strategies for improvement, and the time frame (up to two years) in which the problems are to be solved. Further, the Plan must contain definite means of measuring progress in achieving the goals and periodic monitoring of progress. Finally, the Development Plan must be approved by the primary unit head and the dean, following consultation with the appropriate primary unit committee.
- b. While the individual faculty member is responsible ultimately for the successful outcome of the Development Plan, the primary unit has an obligation to assist the faculty member who seeks guidance in developing a realistic plan to remedy the identified areas of deficiency. The campus administration shall designate an advisor or resource office to provide advice to the faculty member and to the primary unit on best practices and models for Development Plans and appropriate benchmarks of progress.
- c. Assessments of professional competence depend upon peer review. At the conclusion of the Development Plan period, either (1) the faculty and head of the primary unit or (2) the faculty of the appropriate college personnel review committee assess the progress of the faculty member and forward their conclusions to the dean. After consultation with the dean's review committee, the dean determines whether the faculty member has achieved the goals of the Development Plan and thus has returned his/her professional performance to meeting expectations. Those who are judged to be meeting expectations begin a new 5-YEAR PTR cycle in the next academic year. Those who are judged not to have achieved professional competence will face sanctions, including the possibility of revocation of tenure and dismissal. Copies of the Extensive Review Development Plan and the primary unit's assessment of the progress achieved by the end of the development period will be added to the faculty member's personnel file.

E. Sanctions

1. Ordinarily, in cases where the Development Plan has not produced the desired results the faculty member will have his/her tenure revoked and be dismissed. Under certain circumstances, other sanctions may be imposed. Possible sanctions include: suspension of pay, salary reduction, and demotion in rank.

An appropriate faculty committee shall recommend sanctions. The chancellor makes the final determination of sanctions. If the chancellor's decision is to recommend revocation of tenure and dismissal of the faculty member to the Board of Regents, the Laws of the Regents provide the faculty member with an opportunity for a hearing and set other conditions for handling such cases. (See [Laws of the Regents, Article 5.C.1 and 5.C.4](#); and 8/27/66 Regent Action adopting 1940 AAUP Statement on Academic Freedom and Tenure).

Revocation of tenure and dismissal for the cause of demonstrable professional incompetence has long been recognized policy at the University of Colorado, and across higher education in the United States.

Professional incompetence is defined to mean the *failure to perform teaching, research/creative works, and service duties in a consistent and satisfactory professional manner*. A judgment of professional incompetence is based upon peer review of the faculty member's performance. The PTR process provides such peer review. (Other causes for dismissal also exist and are outlined in [Article 5.C.1 of the Laws of the Regents](#).)

F. Assessment of PTR

1. After two complete years of implementation, the vice president for academic affairs and research, having consulted with faculty and campus administrators, shall report to the Board of Regents and to Faculty Council on

the effectiveness of the revised PTR process. If serious problems are identified, they should be remedied at this time. The summaries of PTR that are reported by the deans to the VCAA annually will be kept on file and reviewed in the ten-year review of tenure processes required in the administrative policy statement on Tenure Accountability.

This administrative policy statement will be reviewed on a periodic basis.

CONTACTS

The Responsible Office will respond to questions and provide guidance regarding interpretation of this policy.

Office of the Vice President for Academic Affairs and Research
303-860-5600

HISTORY

Initial Policy Effective: Spring 1984

Supersedes: Post Tenure Review Policy, July 1998