ACTION ITEM: Resolution to Adopt an Annual and Post-Tenure Review Policy for Faculty

BACKGROUND INFORMATION:

- The UNC Policy Manual, sections 400.3.3 and 400.3.3.1(G), requires post-tenure review to be linked to a faculty member’s annual reviews.
- UNCG has no formal policy on annual reviews for faculty, only what is referenced in the current Post-Tenure Review Policy.
- The Post-Tenure Review Policy has been broadened to incorporate a formal annual review policy as well as additional revisions needed to more accurately refer to units and departments.
- The resulting Annual and Post-Tenure Review Policy for Faculty, which would replace the current Post-Tenure Review Policy, has been approved by the Faculty Senate and the Chancellor.

RECOMMENDED ACTION:

That the Board of Trustees of The University of North Carolina at Greensboro approve adoption of the enclosed Annual and Post-Tenure Review Policy for Faculty.

David H. Perrin  
Provost and Executive Vice Chancellor
I. DEFINITIONS, PURPOSE AND APPLICABILITY

A. Annual review is a periodic (annual) evaluation of faculty performance intended to promote faculty vitality.

B. Post-Tenure Review is “a comprehensive, formal periodic evaluation of cumulative faculty performance, the prime purpose of which is to ensure faculty development and to promote faculty vitality” (The UNC Policy Manual, Section 400.3.3.1[G]).

C. The purposes of Annual and Post-Tenure Reviews are to (The UNC Policy Manual, Sections 400.3.3., and 400.3.3.1[G]):

   a. Sustain and facilitate excellence among tenured faculty by recognizing, encouraging, and rewarding faculty performance.

   b. Foster faculty development by evaluating all aspects of professional performance, by acknowledging progress in specific areas, and by identifying specific activities that can be undertaken if improvement is needed.

D. The Annual Review components of this policy apply to all faculty members, whether tenured, tenure-track, or non-tenure-track, paid or unpaid (including lecturers, Clinical Faculty, Academic Professional Faculty, and other “Special Faculty Members” as defined in the Code of the University of North Carolina, Section 610).

E. Annual reviews are related to promotion and tenure reviews because reviews for promotion and tenure must reflect the feedback that the candidate has received in his or her annual reviews.
(UNCG Promotion, Tenure, Academic Freedom, and Due Process Regulations (The Regulations), Sections 2.D.ii. and 4.B.i.d., see also Section III.G, below).

F. Post-Tenure Reviews are required of all tenured faculty members.
G. Post-Tenure Reviews are separate from reviews for faculty promotion and/or tenure (except as specified in Section IV.B. of this policy).

II. POLICIES GOVERNING BOTH ANNUAL AND POST-TENURE REVIEW

A. The primary locus of both reviews is the department, though the units\(^1\) may establish procedures that govern both types of reviews as long as these procedures do not violate university policies. The department head\(^2\) has the responsibility of carrying out the reviews, although the reviews of tenure-track and tenured faculty members must significantly involve peers in a form that is recorded in the department’s instrument of governance (see The Regulations Section 2.D.ii., and Section IV C, below). If peer review involves a faculty committee, the department head shall not be a member of the committee. Disagreements between recommendations by the department head and the faculty member’s peers will be resolved by the dean, so that the faculty member receives a single rating.

B. Reviews of department heads will be conducted by their dean, and reviews of the deans by the provost.\(^3\) The provost will establish the procedures for these reviews, which must be in general agreement with the policies established here.

C. The responsibility for developing criteria for the evaluation of faculty performance rests with the departments, but the criteria for the review of tenure-track and tenured faculty should be based on those established in the University Wide Evaluation Guidelines for Promotions and Tenure (the Guidelines). The units may provide departments with direction on the establishment of evaluation criteria, as long as these directions are consistent with the Guidelines.

D. The faculty member being reviewed must receive written feedback as part of his or her review, and must be given an opportunity to respond formally to the review in writing. This response is attached to the review and becomes a formal part of the review.

E. The reviews, including the faculty member’s response (if any), must be completed by the end of the academic year in which they are scheduled.

F. All Annual and Post-Tenure Review Policies must respect the basic principles of academic freedom and may not abrogate, in any way, the criteria and procedures for due process and for dismissal or other disciplinary action established in accordance with Chapter VI of the Code of the University of North Carolina.

III. ANNUAL REVIEW POLICIES

A. The UNCG Annual Review Report Form must be used for all tenured and tenure-track faculty members, but individual units (not departments) are free to add to the Form\(^4\), and to create Annual Review procedures to fit their specific needs, provided such procedures do not violate those laid out in UNC Policy Manual, Sections 400.3.3 and 400.3.3.1[G], or in this document.

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\(^1\) For purposes of this Policy, the units are the administrative category above the department. The College of Arts and Sciences, the University Libraries and the professional Schools are all units.

\(^2\) For the purposes of this Policy, department chairs and academic program directors are considered equivalent to department heads.

\(^3\) All further references to reviews of faculty members shall also refer to reviews of department heads and deans, though the locus of the reviews differs for these individuals.

\(^4\) Units may add to the Form, but may not remove or change aspects of the existing Form provided by the Provost’s Office.
B. In adding to the Annual Review Report Form, the units may, but need not, divide the satisfactory category, into the evaluative sub-categories, e.g., fair, good, and very good. The unsatisfactory category of evaluation may not be subdivided.

C. In addition to the summary information provided on the Annual Review Report Form, it is incumbent on each department head to provide, to faculty members below the rank of tenured Professor, a clear indication of their progress towards promotion and/or tenure. This feedback must be informed by input from departmental faculty members senior to the person being reviewed, and must be consistent with the policies set down in Section 2 of the Regulations, the evaluation criteria in the University Wide Evaluation Guidelines for Promotions and Tenure, and the clear and specific criteria specified in unit and departmental promotion and tenure documents (The Regulations, Section 2.D.i.).

D. Prior to departmental review and completion of the Annual Review Report Form, faculty members must supply a record of their annual accomplishments in a format specified by their unit. The reporting method must be consistent within a unit, but may differ between non-tenure track and tenure-track (or tenured) faculty. These reports may include a written self-evaluation of the faculty member’s accomplishments during the year.

E. Annual feedback from the department head to tenured or tenure track faculty members will include a completed UNCG Annual Review Report Form (as modified by their unit), written feedback on the year’s achievements, and a summary of the peer review. It may also include recommendations for rewards or improvement, as appropriate.

F. Annual Reviews should provide a means of recognizing, encouraging, and rewarding faculty performance by means of merit pay increases, when funds are available for this purpose.

G. The Annual Review Report Form, as modified by the units, must be included in all promotion and tenure portfolios, for all years under consideration. The written feedback (Section III.E.) need not be included as part of the promotion and tenure portfolio, but must be retained in the departmental offices so that they can be reviewed, upon request, by the University Promotion and Tenure Committee.

IV. POST-TENURE REVIEW

A. The cumulative Post-Tenure Review summarizes the annual reports of a tenured faculty member’s work, and includes a summary evaluation of all aspects of his or her professional performance relative to the mission of the department, unit and institution.

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5 For the purpose of this section, Associate Professors and Professors are senior to Assistant Professors. Professors are senior to Associate Professors.

6 Departments that conduct separate merit raise evaluations may wish to consider additional information, such as criteria for ranking candidates, when awarding merit pay increases.
B. Post-Tenure Review shall take place no less frequently than every five years following the conferral of tenure. If however, in a given academic year, a tenured faculty member scheduled for Post-Tenure Review is recommended for promotion through the departmental and unit levels of review, then that faculty member will be deemed to have had a Post-Tenure Review. There is no need to do a separate cumulative review in addition to the promotion-review. Otherwise, the faculty member in question will undergo a [separate] Post-Tenure Review.

C. Peers must be involved in the Post-Tenure Review process. Peer review must be in the form of a peer review committee whose members are selected by a process agreed upon by the tenured members of the department. The faculty member being reviewed may not select members of the peer review committee.

D. Because Post-Tenure Review is a cumulative summary of the performance reported in his or her annual reviews, the faculty member shall not be required to provide additional documentation of his or her accomplishments, other than an up-to-date Curriculum Vitae.

E. The UNCG Post-Tenure Review Report Form must be used in all Post-Tenure reviews, but individual units (not departments) are free to add to the Form, and to create Post-Tenure Review procedures to fit their specific needs, provided such procedures do not violate those laid out in the UNCG Policy Manual, Sections 400.3.3 and 400.3.3.1[G], or in this document.

F. In modifying the Post-Tenure Review Report Form, units may, but need not, divide the satisfactory category of evaluation into additional evaluative sub-categories, e.g., fair, good, and very good. The unsatisfactory category of evaluation may not be subdivided.

G. Because Post-Tenure Review must reward excellence, the Post-Tenure Review procedures designed by the units must provide a mechanism for recognizing excellent performance.

H. Post-Tenure Reviews may reward performance by means of special, non-monetary, recognition such as:
   a. Nomination for awards
   b. Research leaves
   c. Revisions of work load

I. Unsatisfactory Post-Tenure Review. An Unsatisfactory cumulative review may only occur, but is not required, if there have been at least two unsatisfactory annual reviews in the current post-tenure review cycle. In cases of an unsatisfactory cumulative Post-Tenure Review, the following procedures must be followed:
   1. The department head shall prepare and sign a statement declaring that the faculty member has received an unsatisfactory Post-Tenure Review. This

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7 UNC Policy Manual, Section 400.3.3.1[G], item 6.
statement must include a recital of the faculty member’s primary responsibilities and a specific description of his or her shortcomings as they relate to these duties. The statement must document the reasons why the faculty member has been given an unsatisfactory Post-Tenure review, with reference to specific failings noted in the faculty member’s annual reviews. Each of the relevant areas of performance must be addressed. A copy of this statement, along with copies of the faculty member’s last five annual reviews, and the materials submitted as part of their post-tenure review shall be delivered to the faculty member, and the dean.

2. The department head must, in consultation with the dean and the individual faculty member, develop a plan for the improvement of the faculty member’s performance, and a time line and benchmarks for improvement. The total time allowed for demonstrated improvement (as specified in the improvement plan) may not be less than two years. The resources necessary for the successful implementation of the improvement plan must be clearly stated in the plan, and must be made available to the faculty member during the improvement period. If the faculty member’s duties are modified as part of the improvement plan, then the plan should indicate this and take into account the new allocation. The plan must include a written statement of the consequences should improvement not occur within the designated time. If agreement between all parties is reached, the plan will be signed by all three parties. If, following the consultation specified above, the dean determines that agreement cannot be reached, the dean, with the approval of the provost, will sign the improvement plan. A copy of the improvement plan will be delivered to the faculty member and his or her department head, and will become a permanent part of his or her personnel file.

3. Progress meetings with the department head must occur on at least a semi-annual basis during the improvement period.

4. If a faculty member fails to meet the designated levels of improvement by the conclusion of the improvement period specified in the plan, then the department head may recommend that the faculty member be subjected to disciplinary action or discharged, as established in The UNC Policy Manual, Sections 400.3.3 and 400.3.3.1[G], and Section 603 of The Code of the UNC System. The only admissible grounds for such a recommendation in this context are incompetence or neglect of duty, as consistent with Section 603 of The Code of the University of North Carolina.

5. If the department head recommends that the faculty member be discharged or subjected to other disciplinary action as established in Section 603 of The Code, then the following process of review shall be followed.
a. The head’s recommendation shall be reviewed by a committee consisting of the tenured faculty in his or her department who are senior\(^8\) to the faculty member under review, and a recommendation to accept or reject the head’s suggested course of action prepared.

i. A minimum of three faculty members senior to the candidate are normally necessary to assure adequate review. In cases where the dean believes there are too few faculty of the appropriate rank in the candidate’s department, the dean will consult with the department head and the candidate on the constitution of the committee. If agreement between these parties is reached, a memorandum of agreement signed by all parties will specify the composition of the review committee. If, following the consultation specified above, the dean determines that agreement cannot be reached, the dean, with the approval of the provost, will specify the composition of the committee. It is the dean’s responsibility to ensure that the committee is constituted so as to ensure a fair and independent peer assessment of the candidate’s record.

ii. Both the faculty member and department head may provide additional documentary evidence to this committee. The committee may also recommend modification of the disciplinary action suggested by the head.

b. Both the head’s and the committee’s reports will be forward to the unit Committee on Promotions and Tenure, who will recommend for or against the recommended course of action to the dean. The committee may also recommend modification of the disciplinary action suggested by the head.

c. The dean will review the recommended course(s) of action suggested by the head, the departmental committee and the unit Committee on Promotion and Tenure, and prepare a recommendation to the University Committee on Promotion and Tenure. The dean may recommend modification of the disciplinary action suggested by the head.

d. The University Committee on Promotions and Tenure will review the dean’s suggested action and recommend for or against this action to the provost. The committee may also recommend modification of the disciplinary action suggested by the dean.

e. The provost will review the lower-level reviews and make a final recommendation to the chancellor. The provost may suggest modifications to the disciplinary action.

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\(^8\)Associate Professors are senior to Assistant Professors. Professors are senior to Associate Professors. In the case of disciplinary action or dismissal of a Professor, his or her peers shall be other Professors. Untenured faculty members of whatever rank may not be members of the committee.
f. Except for the grievance procedures established under Sections 603 of The Code of the University of North Carolina, the decision of the Chancellor is final.

g. The University has the burden of proof in justifying the recommendation in question. The standard of proof to be used throughout the stages of this review is that of clear and convincing evidence (which is the same as the greater preponderance of the evidence).

h. The recommendations at each level of review shall be forwarded, together with all of the documentary evidence and all of the prior recommendations, to the next level of review.

V. APPEALS

A. Faculty members who receive an unfavorable Annual or Post-Tenure Review may appeal that review and/or the improvement plan to the Faculty Grievance Committee, according to the procedures of that committee.

B. Faculty members who are the subject of disciplinary action, or dismissal, by the Chancellor may appeal this decision to the Due Process Committee according to the policies laid out in Section 603 of The Code of the University of North Carolina, as reflected in the Promotion, Tenure, Academic Freedom, and Due Process Regulations of the University of North Carolina at Greensboro, and in the operating policies of that committee.