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**REPORT OF POST-TENURE REVIEW POLICIES AT THE UNIVERSITIES AND  
REQUEST TO APPROVE POST-TENURE REVIEW POLICIES AT  
THE UNIVERSITY OF IOWA AND IOWA STATE UNIVERSITY**

**Actions Requested:** (1) Receive the report of post-tenure review policies at the universities. (2) Approve the Post-Tenure Review Policies at the University of Iowa and Iowa State University (Appendices C-D).

**Executive Summary:** The Board of Regents Policy Manual §6.17 requires that an annual report on tenure status be presented to the Board. The 2010 annual report, which included a summary of post-tenure review activities at the universities, was presented at the April 2010 Board of Regents meeting. Subsequently, the Board directed the Board Office to work with the universities to prepare a presentation on post-tenure review policies. An interim report was presented in September 2010 because the University of Iowa and Iowa State University were in the process of reviewing their post-tenure review policies. The University of Northern Iowa, whose evaluation procedures are considered a mandatory subject of bargaining under Iowa Code §20.9, was undergoing contract negotiations; a new contract for the United Faculty was signed in March 2011. The Faculty Senates at the University of Iowa and Iowa State University completed their updates this semester. Each institution will make a brief presentation of the work undertaken since the interim report.

At the three universities, post-tenure review policies include an annual performance review. While the institutions handle peer review differently, all have the goal of improving performance; all also have unfitness policies. A review of policies of approximately 20 peer institutions revealed that some institutions have no post-tenure review other than an annual review; some use a negative annual review to trigger a peer review; all have peer reviews that are formative, offering developmental assistance and suggestions. The Regent universities' policies are comparable to national peers.

The Report of Post-Tenure Review Policies addresses the Board of Regents Strategic Plan priority to provide "educational excellence and impact."

**Background:**

**Definition of tenure.**

- ☛ Tenure is a contractual employment status under which faculty appointments are continued indefinitely. At most institutions, tenured faculty members are subject to dismissal only for cause or financial exigency.
- ☛ Tenure is typically awarded to a faculty member in a tenure-track position who serves a probationary period that lasts approximately seven years. After a series of annual retention proceedings, the awarding of tenure requires an affirmative recommendation based on an extensive evaluation process that typically involves reviews by peers in the field and reviews at the department, college, and university levels.
- ☛ Each year, the Board of Regents formally confers tenure upon individual faculty members at the recommendation of the universities.

Post-tenure review and faculty vitality.

- ☛ Teaching is fundamental to the mission of the Regent universities and the evaluation of teaching effectiveness is crucial to a tenure decision. Student and faculty peer evaluations are significant components of determining teaching effectiveness.
- ☛ The institutions offer a variety of programs, including professional development assignments, travel support for participation in academic conferences, teaching support centers, summer research grants, and technology enhancement opportunities to maintain and enhance faculty vitality.
- ☛ All of the institutions have implemented post-tenure review policies. Some of the results of the reviews have included recommendations for professional development assignments, revised portfolios that increase a faculty member's effort in an area of strength, new position responsibility statements which provide greater alignment of faculty members' efforts with department goals, and plans for phased retirement.

Highlights of the policy changes at the University of Iowa and Iowa State University are included in Appendices A-B. Appendixes C-E include summaries of each university's policy on tenure and post-tenure review.

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A review of the post-tenure review policy conducted by the Faculty Senate in 2010 resulted in clarifying and improving the policy to help faculty members benefit from the review process and to ensure that the policy is administered in a timely and consistent fashion.

The policy represents an expansion and improvement of existing policy. The new policy requires that each tenured faculty member undergo both an annual review by the unit head and a periodic review by the faculty member's peers. The policy outlines the expectations of the faculty member and the expectations and responsibilities of the unit head, dean, and provost. The policy describes in detail the procedures for dealing with the case where a faculty member's performance drops below expectations.

The new policy has two major sections. The first section deals with the requirements for a mandatory annual review of all tenured faculty members. The annual review is conducted by the unit head and is normally formative. When, as a result of an annual review, the unit head concludes that there are significant and long-standing deficiencies related to teaching, research, or service, the unit head shall provide written notification of the conclusions to the faculty member being reviewed and the faculty member will be given an opportunity to respond in writing. The final report and the faculty member's response will be sent to the dean and will be kept on file in the department.

The second section describes a formal process for a periodic peer review (normally every five years) that is required of all tenured faculty members. The post-tenure peer review is intended to acknowledge achievements and to provide an appropriate mechanism to encourage constructive responses to normal changes that are likely to occur over the course of a successful academic career. If, after receiving the results of the peer review, the dean concludes that the faculty member's performance has fallen for a significant period of time below the expected standard of performance for the faculty member's unit, the dean may initiate discussions with the faculty member concerning the development of a plan to address problems uncovered by the review. The plan and faculty member's response (if any) will be submitted to the provost, who will make the final determination about the implementation of the plan. If, after an agreed-to time period, a peer review committee and the dean find no acceptable progress, the dean, provost, and peer review committee will meet to decide which of the consequences described in the plan will go into effect. The consequences will be monitored by the provost. On those rare occasions where a faculty member proves unwilling or unable to benefit from developmental assistance to improve his or her performance, the administration may feel compelled to proceed against the faculty member in a disciplinary or unfitness proceeding.

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ISU's proposed Post-Tenure Review (PTR) Policy is a total rewrite of current policy. The revised policy provides for tangible outcomes and results in formative opportunities for tenured faculty. The new policy provides additional structure and clarification for PTR and includes three new sections – (1) timeline; (2) outcomes; and (3) role of the department chair, dean, and provost. The review will continue to be based on a faculty member's Position Responsibility Statement (PRS). The policy also introduces three categories of overall recommendations of performance based on the post-tenure review – “superior,” “meeting expectations,” or “below expectations.” The assumption of an action plan for performance improvement (for “below expectations” in any PRS area or for an overall recommendation) is delineated, as well as assumption for a salary increase of a fixed amount for those at the rank of professor who achieve a “superior” overall recommendation, and the suggestion to be reviewed for promotion to full professor for an associate professor who achieves a “superior” overall recommendation.

The proposed policy includes the following additional details.

- Timeline. Each tenured faculty member on full- or part-time appointment will undergo PTR at least every seven years; at the faculty member's request (but at least five years from the last review); during the year following two consecutive unsatisfactory annual reviews.
- Exemptions. Faculty members are exempted from a scheduled PTR if they are being reviewed for higher rank during the same year; they are within one year of announced retirement or are on phased retirement; they are faculty members who serve as department chair or whose title contains the term president, provost, or dean.
- Action plan for performance improvement. The plan must include at least the following three parts – justification for the plan; specific timetable for evaluation of acceptable progress on the plan; description of possible consequences for not meeting expectations by the time of that evaluation.
- Consequences of non-action. Failure to have the performance improvement plan in place by the time of the next academic year's annual performance review may result in a charge of unacceptable performance as defined in the Faculty Conduct Policy.

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**10.7 REVIEW OF TENURED FACULTY MEMBERS POLICY**

**10.7.1 Introduction**

(1) Scope. This section establishes procedures to be followed by the University in conducting reviews of a tenured faculty member's academic performance in areas of teaching, scholarship, and service. There are two kinds of review of tenured faculty: annual reviews conducted by the unit head, and periodic reviews conducted by faculty peers.

(a) An annual review should, in the main, be evaluative, but may also be formative and developmental.

(b) A peer review should, in the main, be formative and developmental, and should facilitate and encourage professional vitality.

(2) Academic Freedom. All proceedings under this section shall respect the principles of academic freedom and tenure stated in the Statement on Tenure and Academic Vitality at the University of Iowa (III-10.1 a(2), Regents 2/14/74), which commits the University to the principle that "free inquiry and expression are essential to the maintenance of excellence; tenure is essential to free inquiry and expression." The expectation is that all post-tenure reviews will respect the significance and importance of tenure.

(3) Rationale. A tenured faculty member has the responsibility of strengthening his/her university citizenship through his/her work in education, research, and service. The faculty member must also ensure that he or she continues to strive to meet this responsibility. Post-tenure review is a process that has been developed to assess a tenured faculty member's progress. The process includes an annual review or evaluation conducted by the faculty member's unit head, and a five-year review conducted by the faculty member's peers.

**10.7.2 Annual review of tenured faculty**

An annual performance review of all tenured faculty members, through a process developed by the unit head (DEO or equivalent) in consultation with the faculty of the department, or in non-departmental units with the faculty of the college, and approved by the Dean and Provost, is conducted by the unit head as part of the salary-setting process. Review of tenured faculty shall include an evaluation of research/scholarship, teaching, and service. As part of this review, each faculty member must make available to the unit head materials specified in the statement of the department's review process (e.g., vitae, teaching evaluations, etc.).

When, as a result of an annual review, the unit head concludes that there are significant deficiencies related to teaching, research, or service, the unit head shall provide written notifications of these conclusions to the faculty member being reviewed, and the faculty member will be given an opportunity to respond in writing. The final report and the faculty member's response will be sent to the Dean and will be kept with the faculty member's personnel records.

The annual review will consider, as appropriate, issues of long-term research, instructional development, or service that cannot be adequately represented on a strictly annual basis. Faculty members being reviewed by their department for the special purpose of promotion may be exempted from this annual faculty review requirement.

### **10.7.3 Five-year peer review of tenured faculty**

(1) *Overview.* In a shared governance academic environment, the faculty plays an indispensable role in appointment, reappointment, promotion, tenure and dismissal of faculty members. One of the ways that faculty exercise this responsibility is through the formal process of peer review. Post-tenure peer review is intended to acknowledge achievements and to provide an appropriate mechanism to encourage constructive responses to normal changes that are likely to occur over the course of a successful academic career. The developmental nature of post-tenure review mandates that a faculty member being reviewed should be accorded adequate time to respond to the review and to improve performance where necessary, prior to initiation of any proceedings which may be viewed as adversarial or punitive.

(2) *Procedure.* All tenured faculty members will undergo a peer review once every five years subsequent to their most recent tenure or promotion review. Faculty members are exempted from their scheduled five-year peer review if: (1) they are being reviewed for promotion to a higher rank during the year of the scheduled review; (2) they are within one year of announced retirement or are on phased retirement; or (3) they serve as DEO, Assistant Dean, Associate Dean, or Dean.

The five-year peer review will include a comprehensive review by a committee composed of tenured faculty peers in the same college as the faculty member undergoing review and at the same or higher academic rank appointed by the DEO or Dean in consultation with the faculty member who is to be reviewed. DEOs and other academic administrators may not serve on peer review committees. The outcome of this peer review is confidential and confined to the faculty member being reviewed, the review committee, the DEO, the Dean, others directed by the faculty member, and in special circumstances, the Provost.

Consistent with the foregoing, each college must develop and implement a plan for the five-year peer review of each tenured faculty member. The plan is to include specific guidelines regarding: (1) selection of the five-year peer review committee; (2) committee procedures and timelines; (3) materials to be reviewed; (4) distribution and use of the committee's written report; and (5) mechanisms for the faculty member to respond. Faculty members of the college will approve the plan by vote. The Dean and Provost will approve each plan and ensure consistency with review processes across the departments and colleges.

A faculty member who believes that she/he has been treated unfairly at any point during the five-year peer review process may seek redress of his/his grievance within the scope and framework of the Faculty Dispute Procedures of the UI Operations Manual (III-29.6).

#### **10.7.4 Special cases procedures**

If, after receiving the results of the five-year peer review, the Dean, on advice of the peer review committee and in consultation with the DEO, if one exists, concludes, on the basis of the peer review's findings, that the faculty member's performance has fallen for a significant period of time below the expected standard of performance for the faculty member's unit, then the Dean may initiate discussions with the faculty member concerning the development of a plan to address problems uncovered in the review. Such discussion may focus on the faculty member's individualized portfolio. The plan will be put in writing, will contain a justification for its implementation, will provide a specific timetable for evaluation of acceptable progress (normally to occur at the faculty member's next five-year review), and will provide a description of possible consequences for not meeting expectations by the time of that evaluation. The DEO and/or Dean may monitor progress through the annual review and give feedback to the faculty member.

If the plan prepared by the peer review committee and the Dean is not agreed to by the faculty member, then the faculty member will provide a written justification for not agreeing to the plan. The plan and the faculty member's response will be submitted to the Provost, who will make the final determination as to whether the plan should be implemented. If the faculty member believes that there are grounds for grievance, then the faculty member may seek redress of his or her grievance within the scope and framework of the Faculty Dispute Procedures of the UI Operations Manual (III-29.6).

In deciding whether or not to implement such a plan, it is important that the Dean and DEO respect the importance of tenure and the academic freedom it is designed to protect. With respect to research, there is a critical distinction between a faculty member who has ambitious research programs that they are actively pursuing and the very few faculty members who have no such plans and who have had no work in progress for a substantial period of time. It is expected that if plans envisioned focus on research productivity, they would typically be appropriate only for the latter group.

If the plan is implemented, then a peer review committee and the Dean (or Dean's designee) will oversee the faculty member's progress under the plan. If after the agreed-to time period, the peer review committee and the Dean find no acceptable progress, then the Dean, the Provost, and the peer review committee will meet to decide which of the consequences described in the plan will go into effect. The consequences will be monitored by the Provost.

Use of the special review procedures described above does not preclude deans from utilizing available, alternative procedures for addressing problems of unacceptable performance of duty (III-29.7, III-29.8). On those rare occasions where a faculty member has proved unwilling or unable to benefit from developmental assistance to improve his or her performance, the administration may feel compelled to proceed against the faculty member in a disciplinary or unfitness proceeding, where the burden of proof is on the administration to show that the proposed sanction is justified. However, deans are strongly encouraged to proceed with formative and developmental plans before resorting to such measures.

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**5.1.2 Annual Reviews (existing policy)**

Faculty members are reviewed annually for performance appraisal and development on the basis of their position responsibility statement. This review may serve as a basis for determining merit salary increases.

Annual faculty reviews are conducted by the department chair. In some departments, it may be desirable for the chair to select other persons from the department to aid in this evaluation.

Following the review, the chair discusses the results with the faculty member, thus providing an opportunity for exchange of ideas that would be of benefit to the individual and the department.

Similar procedures apply to faculty holding administrative positions, such as the department chair and dean. These reviews are conducted by their immediate supervisors.

Faculty with part-time appointments will be reviewed on the normal annual review cycle. For purposes of annual review, the percentage of the appointment must be taken into account when considering the appropriate level of achievement in that year.

**5.3.5 Post-Tenure Review Policy**

Faculty in each department are charged with developing and implementing a plan for peer review of each tenured faculty member in the unit. The review should address the quality of the faculty member's performance in accordance with all position responsibility statements (PRSs) in effect during the period of the review in the areas of teaching, research/creative activities, extension/professional practice, and institutional service. If applicable, the review should also discuss the effectiveness of part-time appointments. The review shall include an overall recommendation of the performance (superior, meeting expectations, or below expectations) and result in acknowledgement of contributions and suggestions for future development of the faculty member. A faculty member's performance must be superior in all aspects of their PRS in order to receive a superior performance recommendation. A faculty member may receive a below expectations review if their performance in any aspect of PRS is below expectations.

**5.3.5.1 Post-Tenure Review Timeline**

Post-tenure review of each tenured faculty on full-time or part-time appointment will occur under the following guidelines:

- At least every seven years.
- At the faculty member's request (but at least five years from last review).
- During the year following two consecutive unsatisfactory annual reviews.

Faculty members are exempted from their scheduled post-tenure review if: (1) they are being reviewed for higher rank during the same year; (2) they are within one year of announced retirement or are on phased retirement; or (3) they are faculty members who serve as department chair or whose title contains the term president, provost, or dean.

### **5.3.5.2 Post-Tenure Review Outcomes**

Based on the outcomes of the post-tenure review, the following actions will be taken:

- A “superior” post-tenure review recommendation is accompanied by a recommendation for a salary increase of a fixed amount for those at the rank of professor. The amount of the increase is determined annually by the administration, in consultation with the faculty senate, and will be a negotiated ratio of that year’s promotional increase. This increase is separate from, and in addition to, the merit increase. Associate professors receiving a “superior” recommendation will be encouraged to prepare a promotion packet. Regardless of rank, a “superior” post-tenure review recommendation will still include recommendations for future development.
- A “meeting expectations” post-tenure review recommendation will include recommendations for achieving a superior performance evaluation. If a “meeting expectations” post-tenure review recommendation includes a determination of “below expectations” performance in any PRS area, then the faculty member will work with the department chair and the chair of the review committee to develop a detailed action plan for performance improvement in those areas. The action plan will be signed by all three parties. If agreement on the proposed action plan cannot be reached, the action plan will be negotiated following the procedures outlined for PRS mediation (Section 5.1.1.5.1 of the Faculty Handbook).
- A “below expectations” post-tenure review recommendation will include specific recommendations for achieving an acceptable performance evaluation. The faculty member will work with the department chair and the chair of the review committee to develop a detailed action plan for performance improvement in areas deemed below expectations. The action plan will be signed by all three parties. If agreement on the proposed action plan cannot be reached, the action plan will be negotiated following the procedures outlined for PRS mediation (Section 5.1.1.5.1 of the Faculty Handbook). Failure to have the performance improvement plan in place by the time of the next academic year’s annual performance review may result in a charge of unacceptable performance as defined in the Faculty Conduct Policy (Section 7.2.2.5.1 of the Faculty Handbook).

### **5.3.5.3 Role of the Department Chair**

The department chair will take the following actions regarding post-tenure review:

- Review the post-tenure review report submitted.
- Discuss the post-tenure review report and its recommendations with the reviewed faculty member.
- Work with the reviewed faculty member and the chair of the review committee to develop the action plan for improving performance for those faculty who received a below expectations recommendation.
- Add their own recommendation to the dean concerning the recommended salary increase for professors who received a superior recommendation.

- Forward post-tenure review materials to college.

#### **5.3.5.4 Role of the Dean**

The dean will take the following actions regarding post-tenure review:

- Review post-tenure review reports and recommendations submitted for consistency and thoroughness.
- Accept or reject recommendations for salary increases. If the college rejects a recommendation for a salary increase, the reasons for rejection must be sent in writing to the reviewed faculty member and copied to the department chair and the chair of the review committee.
- Forward post-tenure review materials to the Office of the Executive Vice President and Provost.

#### **5.3.5.5 Role of the Provost**

The provost will take the following actions regarding post-tenure review:

- Review post-tenure review reports and recommendations submitted for consistency and thoroughness.
- Accept or reject recommendations for salary increases. If the provost rejects a recommendation for a salary increase, the reasons for rejection must be sent in writing to the reviewed faculty member and copied to the dean, the department chair, and the chair of the review committee. If the provost approves a recommendation for a salary increase that was rejected by the college, the reasons will be sent in writing to the reviewed faculty member and copied to the dean, the department chair, and the chair of the review committee.

#### **5.3.5.6 Post-Tenure Review Guiding Principles**

Post-tenure review does not change the university's commitment to academic freedom, nor the circumstances under which tenured faculty can be dismissed from the university. Grounds for dismissal for adequate cause remain those listed in the Faculty Handbook under Section 7 Faculty Conduct Policy.

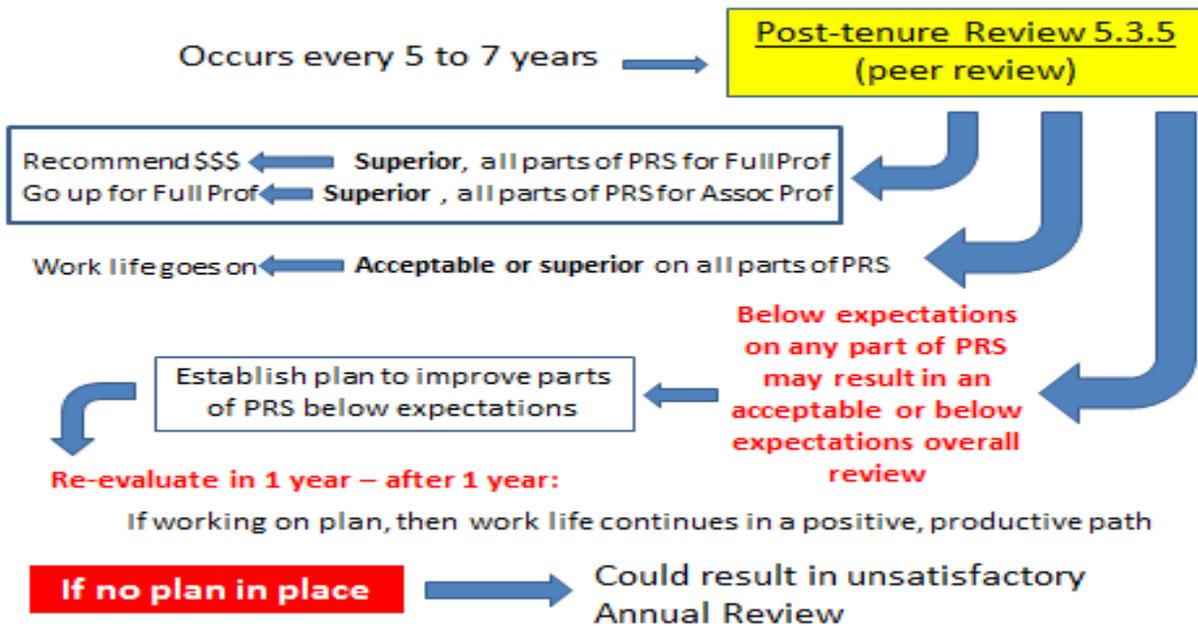
The departmental policy for post-tenure review should designate the following:

- review participants
- review procedures and timelines
- materials to be reviewed
- mechanisms for the faculty member to respond

If an action plan is necessary, it must include at least the following three parts: (1) the justification for the plan; (2) a specific timetable for evaluation of acceptable progress on the plan; and (3) a description of possible consequences for not meeting expectations by the time of that evaluation.

The departmental post-tenure review policy shall be reviewed, approved, and revised by the department in accordance with the departmental, collegiate, and university governance approval process.

The following flowchart describes how the revision of the PTR works to provide a formative opportunity for faculty.



**UNIVERSITY OF NORTHERN IOWA**

**Policies and Procedures Relating to Tenure**

The University of Northern Iowa faculty are unionized and represented by UNI-United Faculty. General evaluation procedures are defined in Article Three of the 2011-2013 Master Agreement and tenure policies and procedures are specified in Appendix F. The standard for promotion and tenure is a documented record of accomplishment in teaching, scholarship and/or creative achievement, and professional service. While the degree of accomplishment in each of these areas may vary, documented teaching effectiveness is essential and primary. A tenure candidate's scholarship and service will only be considered after a positive judgment is made about teaching.

Because academic disciplines vary widely in determining the specifics of accomplishment in teaching, scholarship, and service, each academic department is expected to develop its own specific criteria for tenure and promotion evaluations. In 2008, a committee, which included a faculty member from each college, a department head, dean, and member of United Faculty, was convened to review the departmental criteria to judge scholarly and creative work in the tenure process. The committee recommended that each department review and revise the criteria being used to evaluate teaching, scholarship/creative activities, and service. This work is currently underway. The expected outcome will be clearer, more consistent criteria across all departments and colleges.

**Evaluation of Instructional Performance**

Article Three of the Master Agreement provides specific procedures for evaluation of teaching. Probationary faculty members are evaluated annually by a departmental Professional Assessment Committee (PAC) and their department head. The college dean and the Provost review the files and the evaluations of the PAC and department head in making their own judgments about faculty performance. Departmental PACs develop their own procedures for evaluating teaching but generally include review of teaching materials, classroom observation, and review of student assessments of teaching. Tenured faculty members who apply for promotion in rank are also evaluated by the PAC.

Student assessments of teaching for probationary, term, and full-time temporary faculty members are conducted in all courses during each spring semester. Tenured faculty members are required to conduct student assessments of teaching every three years during the spring semester. The student assessment instrument measures student satisfaction with a faculty member's instruction and an evaluation of a faculty member's effectiveness.

In addition to annual and tenure and promotion reviews, each faculty member's teaching performance is evaluated annually for purposes of awarding merit pay.

**Post-Tenure Review**

Under the evaluation provisions of Article Three of the Master Agreement, there are three mechanisms for post-tenure review of faculty members. First, a tenured assistant or associate professor may apply for a promotion review to either associate or full professor. Second, every tenured faculty member is evaluated by his/her department head each year for assignment of merit pay. Merit pay is awarded on the basis of performance in the areas of teaching, research, and service, weighted according to the faculty member's work load. Department heads distribute evaluation standards each fall and in the spring faculty members receive evaluation letters explaining how they were evaluated using the departmental standards. Third, department heads may conduct other evaluations, including collection and review of student assessment data for any and all semesters and an assessment by the departmental PAC. During Spring 2010, the Provost and Associate Provost for Faculty Affairs met with the college deans to begin development of a procedure for utilizing the "other evaluations" provision of the Master Agreement for a systematic and comprehensive post-tenure review.