



Minutes

Date: November 15, 2022

Time: 2:30 p.m.

Location: Edgar Brown Union Student Senate Chambers

Call to order at 2:31 pm by President Vernon.

1. APPROVAL OF MINUTES

Approved as distributed.

2. SPECIAL ORDERS

- a. Class of '39 Award for Excellence, Windsor Sherrill, Cecil Huey, and Chip Egan

Dr. Cecil Huey presented the Class of 1939 Award for Excellence to honor a faculty selected by the faculty senate. He presented a video highlighting the impact to the Class of 39. Vote will take place during the new business portion of the meeting.

3. REPORT

- a. Robert H. Jones, Executive Vice President for Academic Affairs & Provost

Provost Jones shared several updates.

1. Enrollment: COVID put some concerns on the potential drop to the number of enrolled students. However, Clemson observed a 4% growth. In response, Clemson is following strategic enrollment abiding to a selective process considering access and affordability and setting a target growth to 2%. The projected 2% growth is sustainable following all marks set by the strategic priorities in the new Clemson Elevate plan.
2. Clemson Elevate: Invitations for listening session for Clemson Elevate are scheduled and email was sent. The leadership is expecting to hear back from everyone.
3. Building sites: Building sites on Williamson Rd for reconfiguration parking spaces due to growth. The strategy is to move parking towards the campus' periphery and having pedestrian space towards the center. There is the potential of a parking deck.
4. Chief diversity search: The first candidate is on campus and two other candidates are coming to campus soon.
5. Searching for Faculty Advancement Director: The next stage of the TIGERS ADVANCE is the establishment of the Faculty Advancement office where the institution will have

implemented the learning lessons lessons from the grant. Search for the director position is currently on the way.

6. Search for a Dean of the College of Education: The search is underway through a search firm.
7. Veterinary School: Progress towards the establishment of a Veterinary school will continue if commitment from the State is serious.
8. Clemson Forest: The Clemson Forest is moving into a phase of protection, utilization, and long-term viability as a key aspect of the institution. The provost office is continuing the work that the senate started. It will ensure that the Forest is used to fulfill Clemson's mission. We are committed to maintaining the same amount of land.

b. Standing Committees

- i. Finance and Infrastructure Committee; Chair Karen Kemper
No report

- ii. Research and Scholarship Committee; Chair Hugo Sanabria

The Research Committee presented a report on agenda item 202217 regarding the charge and scope of the Research Committee as indicated by the Constitution of the Faculty of Clemson University.

APPROVED

- iii. Policy Committee; Chair Svetlana Poznanovik

The Policy Committee presented Faculty Senate Resolution 202205, titled "Faculty Senate Research Committee Charge", for consideration.

APPROVED

The Policy Committee presented a report on standing agenda item 202111, titled "Post-Tenure Review", for consideration.

APPROVED

The Policy Committee presented the Faculty Senate Resolution 202204, titled "Post-Tenure Review period" for consideration.

APPROVED

The Policy Committee presented a report on standing agenda item 202214, titled "College TPR Committees", for consideration.

APPROVED

The Policy Committee presented Faculty Senate Resolution 202206, titled "College TPR Committees".

APPROVED

- iv. Scholastic Policies Committee; Chair Peter Laurence

No report

- v. Welfare Committee; Chair Lindsay Shuller-Nickles

No report

- c. University Committees/ Commissions

- i. Committee on Committees; Chair Mary Beth Kurz

No report

- d. Faculty Representative to the Board of Trustees; Brian Powell

Dr. Powell continues to host Board of Trustees members on the 3rd Tuesday of each month. Dr. Powell communicated to the Board meeting examples of Faculty activities including the structure of Tenure and Promotion.

- e. President's Report

"Last week we celebrated Veteran's Day, and there were wonderful programs and tributes to our veterans all week long. Today we watched the video that pays homage to the class of '39, which explains the notable contributions of that class to our nation's history and celebrates the yearly new member of our faculty that is added to the class. As we consider the impactful contributions of our colleagues to our institution, community, state, and country and select this year's winner of the most prestigious Class of '39 award, I want to mention some of the other upcoming opportunities to recognize the great work of Clemson's faculty.

In the new year, you will receive calls for nominations for other faculty-related University-level awards. Examples of these can be found on the Clemson University website under "Clemson University Awards", and include things like The Thomas Green Clemson Award for Excellence, which honors outstanding faculty and staff who have made significant contributions to the academic life at Clemson; The President's Commission on the Status of Women Outstanding Woman Award, recognizing the outstanding contributions to improve the status of women at Clemson University in several categories (one of which is academic faculty); The Frank A. Burtner Award for Excellence in Advising, honoring work that develops students in leadership, devotion to duty and service; The James E. Bostic, Jr. Diversity and Inclusive Excellence Award, to recognize faculty, staff and students who display an exceptional commitment to fostering an environment of diversity and inclusion; Dr. Martin Luther King, Jr. Award for Excellence in Service, to celebrate a Clemson employee who actualizes the dreams of Dr. Martin Luther King, Jr.; and the Centennial Professorship Award which is awarded every other year to support outstanding colleagues. This year is a Centennial year and based on the rotating award the following 3 colleges are eligible: Agriculture, Forestry and Life Sciences; Education; and Science. I encourage you to begin exploring these award requirements, considering who among your peers might be an excellent fit, and researching your supporting evidence for their nominations. More information about these awards and the timeline for nominations will be announced in January or shortly thereafter.

Beyond these awards, our departments and colleges also have awards to recognize the great work of our faculty. Further, our national discipline-specific organizations and other programs

recognize faculty for their contributions to the discipline, to educating our next generation of scholars, and for service to those organizations or industries they support. I encourage you to seriously consider who among your peers is worthy of those awards and take the time to thoroughly prepare awards nomination packets that showcase the accomplishments and contributions of our faculty. Reach out to other nominators who have successfully helped their colleagues become recognized and find out what their keys to success were. If you happen to be such a nominator, and are willing to offer your tips to others, please let me know and I'm happy to collate those tips/suggestions into a useful guide for other nominators.

As we move forward into the season of being thankful and giving to others, I wanted to say how thankful I am for the outstanding work that our faculty are doing, and I encourage you to join me in support of them for these types of recognitions."

4. UNFINISHED BUSINESS

5. NEW BUSINESS

a. FSR 202203 Evaluation of Teaching Effectiveness

Motion for the adoption of Faculty Senate Resolution 202203 titled, "Evaluation of Teaching Effectiveness".

APPROVED

b. Class of '39 Award for Excellence Nomination Committee Slate:

The slate for the Class of '39 Award for Excellence is (in alphabetical order)

- Brumaghim, J.
- Kowalski, R.
- Lanham, D.
- **Powell, B.**

ADJOURN

Move to adjourn 3:29 pm until December 12.

HUGO SANABRIA, Ph.D.
CLEMSON UNIVERSITY

Faculty Senate Secretary

Associate Professor
Physics and Astronomy
CU School of Health Research Faculty Scholar

ANNOUNCEMENTS:

1. Paid Parental Leave Benefit
2. United Way Employee Campaign: October 3-24, 2022
3. Annual Ethics Day: Wednesday, October 12, 2022
4. Open Enrollment for HR: October 2022
5. National Disability Employment Awareness Month: October 2022
6. Day of the Dead Celebration: Friday, November 4, 2022 6:00 pm-9:00 pm, Carillon Gardens

UPCOMING MEETINGS:

1. Faculty Senate Advisory Committee Meeting: Tuesday, November 22nd, 2022, 2:30pm
2. Faculty Senate Committee Meetings: November 29, 2022, 2:30 p.m.
3. Faculty Senate Executive Committee Meeting: Tuesday, December 6th, 2022, 2:30 p.m.
4. Convention of the Delegates Meeting: December 8th, 2022
5. Faculty Senate Meeting: December 13, 2022, 2:30 p.m.



RESEARCH COMMITTEE REPORT

Standing Agenda Item 202217: Research Committee Charge

The Research Committee has considered this matter under the charge of studying and making recommendations on policies, procedures, and practices primarily related to research and submits this report for consideration by the Faculty Senate.

Charge

Investigate, discuss, and make recommendations regarding the constitutional scope of the Research Committee with the express purpose of encompassing the entire productivity spectrum of faculty.

Report on the Scope of the Research Committee

Clemson University constitution of the faculty defined the Research committee scope as “shall study and make recommendation on policies, procedures, and practices primarily related to research.”¹ The Faculty Manual uses the same definition as “The Research Committee: shall study and make recommendation on policies, procedures, and practices primarily related to research.”²

Merriam Webster³ defines Research, Scholarship, and Endeavor as:

Research (noun):

- 1: studious inquiry or examination. especially: investigation or experimentation aimed at the discovery and interpretation of facts, revision of accepted theories or laws in the light of new facts, or practical application of such new or revised theories or laws.
- 2: the collecting of information about a particular subject
- 3: careful or diligent search

Research (verb):

- 1: to search or investigate exhaustively
- 2: to do research for

Scholarship (noun)

- 1: a grant-in-aid to a student (as by a college or foundation)

¹ The Constitution of the Faculty of Clemson University

² Clemson University Faculty Manual

³ Merriam Webster

- 2: the character, qualities, activity, or attainments of a scholar
- 3: a fund of knowledge and learning

Endeavor (noun)

- 1: serious determined effort
- 2: activity directed toward a goal

The Association of American University, composed of America’s leading research universities, puts scholarship “at the heart of academic life and is central to evaluating the intellectual pursuits of faculty at research universities” and thus scholarship consists of “research, discovery, and creative works; the interaction of ideas and information; the application of knowledge to real-world problems; and the advancement of teaching and learning”.⁴

It is clear that research and scholarship often overlap. To bring clarity, we use the definition by Neumann⁵, in which research must include: 1. the creation of new knowledge, 2. the pursuit of a sustained line of inquiry, and 3. the dissemination of research results through publication for the scrutiny of peers.

On the other hand, scholarship seems to be broader and encompasses research, teaching, and other academic work.

In addition to research and scholarship, many faculty produce creative works and activities as a form of their professional productivity and may not find the terms research and scholarship as all-inclusive to describe their output. In this regard, the term “creative endeavors” can be used to reference works or activities that are disseminated and available to peer audiences and that add to or advance a discipline.

Clemson University is using its Clemson Elevate framework aspiring to become a member of the AAU, and as such, the use of research, scholarship, and creative endeavors are also interrelated informing the broad activities of the faculties.

This report does not aim to define research, scholarship, or creative endeavors specific to academic disciplines, but is meant to capture how the current definition of the research committee charge could limit its scope.

Recommendations

In the spirit of shared governance and to better reflect the intent of the definition of the research committee and the various activities of the faculty as we move into positioning to aspiring AAU member, the research committee recommends the following:

⁴ <https://www.aau.edu/research-scholarship/scholarship>

⁵ Neumann, R. (1993). Research and scholarship: perceptions of senior academic administrators. Higher Education, 25(2), 97-110.

1. The name of the “research committee” shall be replaced by the “research, scholarship, and creative endeavors committee” when mentioned in the Constitution or Faculty Manual.
2. A change in the Constitution to include scholarship and creative endeavors. Such as to read “shall study and make recommendations on policies, procedures, and practices primarily related to research, scholarship, and creative endeavors.”
3. A change in the Faculty Manual to include scholarship and creative endeavors. Such as to read “shall study and make recommendations on policies, procedures, and practices primarily related to research, scholarship, and creative endeavors.”



1
2 **FACULTY SENATE RESOLUTION 202205**

3 **Policy Committee Approval: October 18, 2022**
4 **Faculty Senate Consideration: November 15, 2022 (pending)**
5 **Faculty Senate Approval: December 13, 2022 (scheduled)**
6 **General Faculty Approval: August 2023 (scheduled)**
7 **Board of Trustees Approval: October 2023 (scheduled)**

8
9 **Topic: “Research Committee Charge”**

10
11 **Whereas**, Clemson University makes provision for faculty participation in planning,
12 policymaking, and decision-making with regard to academic matters; and

13
14 **Whereas**, the University also provides for such participation in matters of faculty welfare
15 and general university concern; and

16
17 **Whereas**, Research Committee Report 202217 recommended that the *Constitution of the*
18 *Faculty of Clemson University* be amended to “better reflect the intent of the definition of
19 the research committee and the various activities of the faculty as we move into positioning
20 to aspiring AAU member”; and

21
22 **Whereas**, RCR202217 and its recommendations were accepted by the Faculty Senate on
23 November 15, 2022; and

24
25 **Whereas**, amendments to the *Constitution* must be made in order to effect the
26 recommendations of the committee report; it is

27
28 **Resolved**, that *Constitution of the Faculty of Clemson University* Article II§5 be amended to
29 **insert** the words “scholarship, and creative endeavors” after each instance of the word
30 “research” in the sentence that begins, “The Research Committee: shall study and make
31 recommendation on policies, procedures, and practices primarily related to research”.

32
33 *This resolution will become effective upon approval by the Clemson University Executive*
34 *Vice President for Academic Affairs and Provost for inclusion on the agenda of the next*
35 *regular meeting of the General Faculty to be held August 2023. If approved by the faculty,*
36 *the resolution shall become effective upon approval by the Clemson University Board of*
37 *Trustees.*

38
39 **Final Proposed Language:**
40

1 **Constitution of the Faculty of Clemson University Article II§5 Committees**¹
2 standing requirements; academic honors policies; graduation requirements; class
3 attendance regulations; student counseling and placement; and other related policies.

4
5 The Research, **Scholarship, and Creative Endeavors** Committee: shall study and make
6 recommendation on policies, procedures, and practices primarily related to research,
7 **scholarship, and creative endeavors**.

8
9 The Policy Committee: shall concern itself with general university policies, particularly as
10 they relate to the Faculty. Such policies include those which pertain to: academic freedom
11 and responsibility; faculty professional ethics; the appointment, tenure, and promotion of
12 faculty; and faculty participation in university governance. Other matters of particular
13 faculty interest, which are not within the purview of the other standing committees and
14 which are not of such a specialized nature as to justify ad hoc committees, would normally
15 be referred to the Policy Committee.

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18

¹ Constitution of the Faculty of Clemson University Article II§5 (p. 6)



POLICY COMMITTEE REPORT

Standing Agenda Item 202111: Post-Tenure Review

The Policy Committee has considered this matter under the charge of general university policy review, faculty professional ethics; the appointment, tenure, and promotion of faculty, and faculty participation in university governance and submits this report for consideration by the Faculty Senate.

Background

This agenda item was committed to the Policy Committee by Faculty Senate President Thompson Mefford during a regular meeting of the Executive Committee in 2021. Faculty Senate President Kristine Vernon re-committed the matter during a regular meeting of the Executive Committee in April 2022. This consideration originated from the Provost's Office requesting the Faculty Senate review the ability to enable Part II, Post-Tenure Review (PTR) after two or more annual performance ratings of "fair", "marginal", or "unsatisfactory" in any five-year period (as opposed to in a fixed five-year period) and investigate improvements to the institution's Post Tenure Review policy and guidelines.

The Policy Committee reviewed the *Faculty Manual's* Annual Performance Evaluation Procedures¹, Post-Tenure Review Policy², Best Practices for a Performance Review for Faculty³, and Best Practices for Post-Tenure Review⁴, South Carolina's Commission on Higher Education Best Practices for Post-Tenure Review⁵, The American Association of University Professors' *1940 Statement of Principle on Academic Freedom and Tenure*⁶, *1958 Statement on Procedural Standards in Faculty Dismissal Proceedings*⁷ and *Post-Tenure Review: An AAUP Response*⁸. The Committee also reviewed the Faculty Evaluation and Post-Tenure Review policies of the following Land-Grant, R1, and AAU member

¹ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V\$E (pp. 49-53)

² *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V\$G (pp. 54-57)

³ *Clemson University Faculty Manual* October 2021 (v2.0), Appendix C (pp. 147-148)

⁴ *Clemson University Faculty Manual* October 2021 (v2.0), Appendix D (p. 149)

⁵ <https://www.che.sc.gov/DataPublications/PerformanceFunding/PerformanceFundingDataforFall1998/Post-tenureReview98.aspx>

⁶ <https://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>

⁷ <https://www.aaup.org/report/statement-procedural-standards-faculty-dismissal-proceedings>

⁸ <https://www.aaup.org/report/post-tenure-review-aaup-response>

institutions (Non-Collective Bargaining Units): Michigan State University, Purdue University, Texas A&M University, University of Arizona, University of Maryland, University of Wisconsin–Madison, and University of Wyoming. Summaries of relevant policy text are appended under “Policy and Literature Review”.

Discussion and Findings

The Policy Committee discussed relevant policy text to understand best practice in relation to the subject of post-tenure review (PTR). This invariably led to also discussing Annual Performance Reviews, because in the state of South Carolina, PTR must be based on annual reviews (see CHE Best Practices etc.). Both were discussed by the committee regarding guidelines issued by the AAUP. The Policy Committee hesitates to undertake a change in the triggering timeline and remediation period without due attention to the policies in question. Institutions’ PTR policies should be periodically reviewed.

In policy, Clemson University faculty undergoing Post-Tenure Review must be evaluated for performance with care not to re-initiate the process of tenure evaluation. Common practices across the institutions reviewed for Post-Tenure Review (PTR) seem to follow the following process:

1. The Department Chair conducts regular annual performance reviews of faculty.
2. In the event an annual performance review is sub-standard, a plan of action is agreed upon and initiated.
3. Subsequent sub-standard reviews or failed action plans initiate a comprehensive performance review conducted by the faculty of the department resulting in an additional plan of action that is agreed upon and initiated.
4. Failure to respond to development guidance or correct performance deficiencies may result in disciplinary action at the direction of the Department Chair for “sub-standard performance”.

Step 4 begins a series of events that concern many faculty, highlighted by the AAUP, regarding the protection of Academic Freedom and Tenure, because of the effects it can have on academic freedom. Tightly intertwining the PTR processes with disciplinary action leading to dismissal can have a chilling effect on academic freedom. The control measure recommended by the AAUP is to institute the overarching objective of development into the performance improvement plan and making the PTR process focus on improving performance rather than a track predominantly designed to punish and dismiss for “sub-standard performance”. The *common practice* process identified above *may* result in the eventual dismissal of a tenured faculty member but not until repeated attempts over time to develop and improve performance.

The policy for PTR at Clemson University is similar but with key distinctions:

1. The Department Chair conducts regular annual performance reviews of faculty.
2. If there are two substandard reviews within a fixed five-year window, PTR Part II is initiated after the conclusion of that five-year window.

3. The department evaluates the faculty member “to evaluate rigorously a faculty member’s professional contributions. The review should be used to ensure that all faculty serve the needs of the students and the institution, and that excellent faculty are identified and rewarded. Although the focus of PTR is on the performance of the individual since the individual’s last tenure or post-tenure review, the overall contribution of the individual faculty member to Clemson University should not be neglected”⁹
4. If PTR results in sub-standard reviews by the Department Chair or PTR committee, remediation must occur over the course of the following three years.
5. The Chair and PTR committee reviews progress every year and conducts an additional PTR at the end of the 3 years. (The Chair evaluates twice each year, presuming in addition to the annual performance review)

This policy is comprehensive but does not seem as efficient as others and is not expressly focused on the development of the performance in question. In addition, faculty performance improvement is not initiated until the departmental comprehensive review. The criteria by which each faculty member is subject to PTR Part II is determined by the department, in their TPR document, and varies substantially across the institution. For example, The Department of Management’s PTR criteria, “Tenured faculty members are expected to demonstrate a sustained record of excellence across multiple performance criteria outlined for promotion to their current rank. The PTR Committee uses these criteria as the basis for a thorough review of the faculty member's past performance and future potential.”¹⁰, and “Criteria for PTR evaluation will be the same as used in TPR at the faculty member’s current rank and appointment as noted in section IV above, taking into account any shifts in duties that have occurred over the last 5 years and scaling for those changes.”¹¹; both clearly repeat the process of evaluating suitability for tenure while the Department of History’s criteria, appears to be more in-line with AAUP guidance for post-tenure review: “the PTR Committee and the Department Chair will assess whether the Faculty member in Part II of the PTR process will receive ratings of “satisfactory” or “unsatisfactory.” The basis for making that assessment will be the same scale applied to Faculty in their annual evaluation but applied to the five-year PTR cycle.”¹²

Annual Reviews

The AAUP suggests that “The basic standard for appraisal [during post-tenure review] should be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with his or her position”. At Clemson University, these duties appropriately associated with a faculty position are

⁹ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§G1a & §G1b & §G1c (p. 54)

¹⁰ Department of Management, Guidelines for Tenure, Promotion, Reappointment, and Post-Tenure Review (p. 17)

¹¹ Department of Forestry and Environmental Conservation, Tenure, Promotion, and Reappointment and Post-Tenure Review Guidelines (p. 23)

¹² Department of History and Geography, Hiring Procedures and Standards for Tenure, Promotion, and Post-Tenure Review (p. 11)

reviewed annually by the Department Chair (Form 3). The *Faculty Manual* empowers departments to construct individual guidelines for the PTR process and incorporates the annual performance reviews as the trigger for post tenure review.

Summary

Faculty members with two substandard performance ratings occurring in consecutive years but separated by the fixed 5-year window would not undergo a comprehensive review (PTR Part II) until the third substandard rating of performance. Altering the window for review to a “rolling/continuous” 5-year period would capture faculty who need development. Additionally, setting a remediation period of one year would ensure that development occurs on one-year cycles with the option to extend. This shortened cycle closes the 3-year gap of performance improvement assessment and eliminates 7 additional reviews required under the current policy.

The Policy Committee finds that the Provost’s request is reasonable; however, this investigation has highlighted inefficiencies and deficiencies in the current post-tenure review policy.

Recommendations

To streamline the Post-Tenure Review policy including dependent policies, it must be made clear that the PTR trigger is substandard reviews on annual performance evaluations (PTR Part I). Additionally, to unfix the post tenure period in this policy from a fixed 5-year time-period to a continuous (or rolling) 5-year time-period and reduce the set remediation period, the committee recommends the following:

The Policy Committee recommends amending the *Faculty Manual* Chapter V§G5 regarding Post-Tenure Review to indicate that all tenured faculty and tenured academic administrators are reviewed annually post-tenure for performance. Additionally, the consequence and definition of “substandard performance rating” should be found in this section.

The Policy Committee recommends amending the *Faculty Manual* Chapter V§G6 regarding PTR Part II procedures to set the remediation period to one year, include a provision for extensions to the remediation period, and provide for the elimination of annual reviews used to trigger PTR Part II from triggering future comprehensive reviews.

The Policy Committee recommends amending the *Faculty Manual* Chapter V§G2 to eliminate the section describing Coverage of PTR (a & b). This section would now be redundant given the other recommended changes. However, the committee notes that there maybe a perception that PTR Part II could be erroneously triggered for faculty who may have extended leave from the institution and the removal of the provision for special circumstances exposes faculty to such errors. The committee disagrees with this perception noting that the *Faculty Manual* indicates annual reviews are required annually

and workload adjustments must be made for faculty requesting leave from the university.¹³ In cases where workload adjustments are not made, it is a failure of the faculty member and the evaluator to comply with university policy. In such cases where no agreement can be made between the faculty member and the evaluator regarding modifications of workload due to leave, the Dean should intervene to establish modified workload for the period under review.

Finally, the Policy Committee recommends the Faculty Senate President commit a standing agenda item to evaluate and recommend changes to the Post-Tenure Review Policy that aligns with the AAUP and peer institution best practices and complies with CHE best practices as outlined in this report.

¹³ *Clemson University Faculty Manual*, Chapter V§E1ai (p. 50)

Policy and Literature Review

This section contains first a summary of Clemson policies, the AAUP references and a selection of AAUP / R1 aspirational intuitional policies.

Evaluation of Faculty

The *Faculty Manual* indicates that “every individual appointed to a regular or special faculty rank shall be evaluated in each year, regardless of tenure status. The purpose of the annual performance cycle is for the immediate supervisor and the faculty member to mutually document goals and assignments; for the faculty member to document performance; or the immediate supervisor to assess and document the annual performance of the faculty member.” “Such an evaluation is independent of reviews for the purpose of reappointment, tenure or promotion, although the annual performance evaluations are a critical data point in post-tenure review.”¹⁴

“The annual performance evaluation by the department chair or school director (“chair”) shall be conducted on a performance year basis using the University central evaluation platform, described in this document as the Faculty Activity System (FAS). “These reviews must incorporate attention to *Appendix C: Best Practices for a Performance Review for Faculty of the Faculty Manual.*”¹⁵

“Student evaluations of teaching must be incorporated into the evaluation of teaching faculty, as indicated in *Appendix C: Best Practices for a Performance Review for Faculty.*”¹⁶

“Goals for the next year are entered by the faculty member within the FAS in accordance with the dates distributed by the Provost’s office. The faculty member’s goals, as well as percentage of emphasis given to each goal area, are established by the faculty member in consultation with the chair. The faculty member’s assigned duties for that year should be determined and agreed upon in a manner consistent with the faculty member’s goals. Where there is a disagreement, the dean, after consultation with the faculty member, has the final responsibility to determine duties and goals and to set the percentage of emphasis distributed among goals.”¹⁷

“The Statement of Accomplishments, regarding teaching, service, and research accomplishments attained during the past performance period is entered by the faculty member in accordance with the dates distributed by the Provost’s office. Failure to meet this deadline could result in evaluation of an empty record by the chair. Members of the faculty need to record the fullest account of yearly activity, especially concerning matters that might not otherwise come to the attention of the chair.”¹⁸

¹⁴ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§E1a & §E1b & §E1c (p. 50)

¹⁵ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§E2a & §E1d (p. 50)

¹⁶ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§E1e (p. 50)

¹⁷ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§E1f.i (p. 50)

¹⁸ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§E1f.ii (p. 51)

“The Annual FAS Evaluation Section records the chair’s summary evaluation of the faculty member performance. On the basis of material in the Goals and Performance Record sections, and other evaluation criteria such as personal observations, an interview, etc., the chair completes the Evaluation section and forwards it to the dean in accordance with the dates distributed by the Provost’s office. The chair is to present a narrative in the Evaluation section within FAS with three parts: A description of the individual’s effectiveness with emphasis upon demonstrated strengths regarding teaching, service, and scholarship; An indication of the area(s) where improvement is needed; Suggestions of ways by which the faculty member can reach a higher stage of professional development. In addition to a narrative evaluation, the FAS Evaluation section should include a “Total Performance Rating,” chosen from a six-step scale ranging from “excellent” to “unsatisfactory.” The chair will indicate this ranking by checking a box in FAS.”¹⁹

“The FAS including all supporting documents, all disclaimers, all responses, and any other supporting documents, is an official document to be used in faculty development and to provide important information for decisions concerning reappointment, promotion, tenure, and salary. It becomes a part of the faculty member’s permanent, confidential file retained by each college dean and the HR record.”²⁰

Post Tenure Review

“The purpose of Post-Tenure Review (PTR) is to evaluate rigorously a faculty member’s professional contributions. The review should be used to ensure that all faculty serve the needs of the students and the institution and that excellent faculty are identified and rewarded. Although the focus of PTR is on the performance of the individual since the individual’s last tenure or post-tenure review, the overall contribution of the individual faculty member to Clemson University should not be neglected.”²¹

“PTR occurs every five years, and is coincident with the beginning of the next five-year cycle. The first five-year period begins at the time that tenure is granted. Promotion during that period does not alter the schedule for review. Post-Tenure Reviews are conducted during the fall semester when one or more faculty members in a department or equivalent unit are scheduled for review. Periods of sick leave, sabbatical leave, or leave without pay will be excluded from this five-year period. Faculty who give birth, father, or adopt a child during any five-year period may, at their request, receive a one-year extension of the PTR.”²²

“Written Post-Tenure Review Guidelines prepared by the faculty of each academic unit (approved by a majority of the faculty, the department chair, the dean, and the Provost)

¹⁹ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§E1f.iii (p. 51)

²⁰ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§E1g (p. 51)

²¹ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§G1a & §G1b & §G1c (p. 54)

²² *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§G2 (p. 54)

shall provide details of the PTR process. These guidelines must be incorporated into the departmental TPR document. These guidelines must incorporate attention to Appendix D: Best Practices for Post-Tenure Review, numbers 1 through 12 of the *Faculty Manual*. Although the details may vary from one academic unit to another or from one college to another within the university, such guidelines must be consistent with the following principles to ensure appropriate rigor: The primary basis for PTR is the individual's contributions in the areas of research and/or scholarship, teaching, and service. Guidelines must be flexible enough to accommodate faculty members with different professional responsibilities. PTR shall not infringe upon the accepted standards of academic freedom. Sex, age, ethnicity, and other factors unrelated to an individual's professional qualifications shall not be considered in the review process. The chairperson of the academic department and the dean of the college must not be involved directly in the PTR process at the departmental level. The PTR must be linked to the annual reviews.²³

Post-Tenure Review: Part I

"The PTR committee reviews the ratings received on the most recent available series of five years of annual performance reviews, as specified in the "Best Practices for Post-Tenure Review". Merit salary increments are based on these annual performance reviews, as is consistent with Appendix D: Best Practices for Post-Tenure Review. All tenured faculty members receiving no more than one (of five) annual performance rating of "fair," "marginal," or "unsatisfactory" in Part I of the Post Tenure Review process receive a Post-Tenure Review rating of "satisfactory." These faculty members are thereby exempt from Part II of Post-Tenure Review. All tenured faculty members receiving two or more annual performance ratings of "fair," "marginal," or "unsatisfactory" will be reviewed under Part II of PTR."²⁴

Post-Tenure Review: Part II

"In order to ensure adequate external representation in the Part II PTR process, departments must choose exactly ONE of these options in drafting departmental PTR Guidelines: utilize reference letters submitted from outside the department on each individual under review, add to the PTR committee a faculty member or professional equivalent from outside the department, selected according to departmental PTR Guidelines, or allow each faculty member under review the option of either having external letters solicited or incorporating the external committee member in the review process."²⁵

"The faculty member undergoing Part II of PTR must provide, at a minimum, the following documents to the PTR committee and the department chair: a recent copy of the curriculum vita (paper or electronic); a summary of student assessment of instruction for the last 5 years including a summary of statistical ratings from student assessments of

²³ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V\$G3 (p. 55)

²⁴ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V\$G5 (pp. 55-56)

²⁵ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V\$G6a (p. 56)

instruction (if appropriate to the individual's duties); a plan for continued professional growth; detailed information about the outcomes of any sabbatical leave awarded during the preceding five years; and, if required by departmental PTR documents, the names of six referees outside the department whom the PTR committee could contact for references. The chair of the academic unit must provide the PTR committee with copies of the faculty member's annual performance reviews covering the preceding five years."²⁶

"The role and function of each faculty member, as well as the strength of the overall record, will be examined by the PTR committee. If the faculty member subject to PTR Part II requires external reference letters the PTR committee is required to obtain a minimum of four reference letters of which at least two must come from the list of six submitted by the faculty member. The PTR committee will provide a written report to the faculty member. The faculty member should be given at least two weeks to provide a response to the committee. Both the committee's initial report and the response of the faculty member will be given to the dean of the academic unit. The department chair will submit an independent written report to the faculty member who will then have two weeks to provide a response. The chair's original report and the faculty member's response will be forwarded to the college dean. The ratings of either Satisfactory or Unsatisfactory will be used in all stages of the review by the PTR committee and the chair. If both the PTR committee and the chair, or either the PTR committee or the chair, rates the candidate as satisfactory, the candidate's final rating shall be satisfactory. If the candidate's final rating is satisfactory, the dean will forward that information to the Provost in summary form without appending any candidate materials. If both the PTR Committee and the Chair rate the candidate as unsatisfactory, the candidate's final rating shall be unsatisfactory.

(1) If the candidate's final rating is unsatisfactory, the dean will forward all materials to the Provost.

(2) Remediation must occur when individuals receive a rating of Unsatisfactory so there is time to correct deficiencies detailed in the PTR reports.

(3) The chair in consultation with the PTR committee and the faculty member will provide a list of specific goals and measurable outcomes the faculty member should achieve in each of the next three calendar years following the date of formal notification of the unsatisfactory outcome.

(4) The University will provide reasonable resources (as identified in the PTR reports and as approved by the chair and the dean) to meet the deficiencies.

(5) The chair will meet at least twice annually with the faculty member to review progress.

(6) The faculty member will be reviewed each year by the PTR committee and the chair, both of whom shall supply written evaluations.

(7) At the end of the three-year period, another post-tenure review will be conducted.

(8) If the outcome is again Unsatisfactory, the faculty member will be subject to dismissal for unsatisfactory performance.

(a) Dismissal for Unsatisfactory Professional Performance, when recommended, will be subject to the rules and regulations outlined in CHAPTER V G. 6. h.ii(9)

²⁶ *Clemson University Faculty Manual* October 2021 (v2.0), Chapter V§G6b (p. 56)

(9) If the review is Satisfactory, then the normal five-year annual performance review cycle will resume.

Post-Tenure Review: An AAUP Response²⁷

“The Association believes that periodic formal institutional evaluation of each post-probationary faculty member would bring scant benefit, would incur unacceptable costs, not only in money and time but also in dampening of creativity and of collegial relationships, and would threaten academic freedom. The Association emphasizes that no procedure for evaluation of faculty should be used to weaken or undermine the principles of academic freedom and tenure. The Association cautions particularly against allowing any general system of evaluation to be used as grounds for dismissal or other disciplinary sanctions.”

“Post-tenure review should not be undertaken for the purpose of dismissal. Other formal disciplinary procedures exist for that purpose. If they do not, they should be developed separately, following generally accepted procedures.”

“If the standard of dismissal is shifted from “incompetence” to “unsatisfactory performance,” as in some current proposals, then tenured faculty must recurrently “satisfy” administrative officers rather than the basic standards of their profession. In addition, some forms of post-tenure review shift the burden of proof in a dismissal hearing from the institution to the tenured faculty member by allowing the institution to make its case simply by proffering the more casually developed evaluation reports from earlier years.”

“Academic freedom is not adequately protected in any milieu in which most faculty members bear the burden of demonstrating a claim that their dismissal is for reasons violative of their academic freedom. The heightened protection of the tenured faculty is not a privilege, but a responsibility earned by the demonstration of professional competence in an extended probationary period, leading to a tenured position with its “rebuttable presumption of professional excellence.”

“We recognize that some tenured faculty members may, nonetheless, fail to fulfill their professional obligations because of incompetence, malfeasance, or simple nonperformance of their duties. Where such a problem appears to exist, “targeted” review and evaluation should certainly be considered, in order to provide the developmental guidance and support that can assist the faculty member to overcome those difficulties. Should it be concluded, however, that such developmental assistance is (or is likely to be) unavailing, the remedy lies not in a comprehensive review of the entire faculty, nor in sacrificing the procedural protections of the tenured faculty member, but in an orderly application of long-standing procedures such as those in the Association’s Recommended

²⁷ <https://www.aaup.org/report/post-tenure-review-aaup-response>

Institutional Regulations on Academic Freedom and Tenure for the imposition of sanctions up to and including dismissal.”

“Individual faculty reviews should, however, focus on the quality of the faculty member’s work and not on such larger considerations as programmatic direction. Downsizing may be properly accomplished through long-term strategic planning and, where academically appropriate, formal program discontinuance (with tenured faculty subject to termination of appointment only if reasonable efforts to retrain and reassign them to other suitable positions are unsuccessful).”

“It might be thought that the untoward impact on academic freedom and tenure may thus be eliminated by implementing a system of post-tenure review that has no explicit provision for disciplinary sanctions. Even here, however, where the reviews are solely for developmental ends, there is a natural expectation that, if evidence of deficiency is found, sanctions of varying degrees of subtlety and severity will indeed follow, absent prompt improvement. Hence, even the most benign review may carry a threat, require protections of academic due process, and inappropriately constrain faculty performance. This point warrants further elaboration. A central dimension of academic freedom and tenure is the exercise of professional judgment in such matters as the selection of research projects, teaching methods and course curricula, and evaluations of student performance. Those who have followed recent attacks on faculty workloads know that the issue rapidly shifted from the allegation that faculty did not work enough (which, it turned out, they plainly did) to the allegation that faculty did not do the right sort of work.”

“Those forms of post tenure review that diminish the protections of tenure also unambiguously diminish academic freedom, not because they reduce job security but because they weaken essential procedural safeguards. The only acceptable route to the dismissal of incompetent faculty is through carefully crafted and meticulously implemented procedures that place the burden of proof on the institution and that ensure due process. Moreover, even those forms of post-tenure review that do not threaten tenure may diminish academic freedom when they establish a climate that discourages controversy or risk-taking, induces self-censorship, and in general interferes with the conditions that make innovative teaching and scholarship possible. Such a climate, although frequently a product of intervention by trustees or legislators, may instead regrettably flow on occasion from unduly intrusive monitoring by one’s faculty peers.”

“Any discussion of the evaluation of tenured faculty should take into account procedures that are already in place for that purpose: e.g., annual merit reviews of teaching, scholarly productivity, and service; comprehensive consideration at the time of promotion to professor and designation to professorial chairs; and programmatic and accreditation reviews that include analyses of the qualifications and performance of faculty members in that program. The discussion should elicit convincing data on what it is that existing procedures fail to address. The questions for faculty bodies include:

a. What are the problems that are calling for this particular solution? Are they of a degree that requires more elaborate, or more focused, procedures for enhancing faculty performance?

b. If the answer to the latter question is yes, would it be possible to devise a system of post-tenure review on the basis of existing procedures—for example, a five-year review that is “piggybacked” onto the annual reviews? It should be noted that this system may serve a constructive purpose for those departments that do not do an adequate job in their annual review.

c. Is the projected post-tenure review confined to developmental purposes, or is it being inappropriately projected as a new and easier way of levying major sanctions up to and including dismissal?”

“If the institution does not already have in place standards for dismissal-for-cause proceedings, it should adopt such procedural standards as are set forth in existing Association policy statements rather than move to post-tenure review as an alternative dismissal route.”

“Any new system of post-tenure review should initially be set up on a trial basis and, if continued, should itself be periodically evaluated with respect to its effectiveness in supporting faculty development and redressing problems of faculty performance, the time and cost of the effort required, and the degree to which in practice it has been effectively cordoned off—as it must be if it is to be constructive—from disciplinary procedures and sanctions.”

AAUP: Minimum Standards for Good Practice If a Formal System of Post-Tenure Review Is Established²⁸

1. Post-tenure review must ensure the protection of academic freedom as defined in the 1940 Statement of Principles. The application of its procedures, therefore, should not intrude on an individual faculty member’s proper sphere of professional self-direction, nor should it be used as a subterfuge for effecting programmatic change. Such a review must not become the occasion for a wide-ranging “fishing expedition” in an attempt to dredge up negative evidence.

2. Post-tenure review must not be a reevaluation or revalidation of tenured status as defined in the 1940 Statement. In no case should post-tenure review be used to shift the burden of proof from the institution’s administration (to show cause why a tenured faculty member should be dismissed) to the individual faculty member (to show cause why he or she should be retained).

3. The written standards and criteria by which faculty members are evaluated in post-tenure review should be developed and periodically reviewed by the faculty. The faculty should also conduct the actual review process. The basic standard for appraisal should

²⁸ <https://www.aaup.org/report/post-tenure-review-aaup-response>

be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with his or her position, not whether the faculty member meets the current standards for the award of tenure as those might have changed since the initial granting of tenure.

4. Post-tenure review should be developmental and supported by institutional resources for professional development or a change of professional direction. In the event that an institution decides to invest the time and resources required for comprehensive or “blanket” review, it should also offer tangible recognition to those faculty members who have demonstrated high or improved performance.

5. Post-tenure review should be flexible enough to acknowledge different expectations in different disciplines and changing expectations at different stages of faculty careers.

6. Except when faculty appeals procedures direct that files be available to aggrieved faculty members, the outcome of evaluations should be confidential, that is, confined to the appropriate college or university persons or bodies and the faculty member being evaluated, released otherwise only at the discretion, or with the consent of, the faculty member.

7. If the system of post-tenure review is supplemented, or supplanted, by the option of a formal development plan, that plan cannot be imposed on the faculty member unilaterally, but must be a product of mutual negotiation. It should respect academic freedom and professional self-direction, and it should be flexible enough to allow for subsequent alteration or even its own abandonment. The standard here should be that of good faith on both sides—a commitment to improvement by the faculty member and to the adequate support of that improvement by the institution—rather than the literal fulfillment of a set of nonnegotiable demands or rigid expectations, quantitative or otherwise.

8. A faculty member should have the right to comment in response to evaluations, and to challenge the findings and correct the record by appeal to an elected faculty grievance committee.5 e or she should have the same rights of comment and appeal concerning the manner in which any individualized development plan is formulated, the plan’s content, and any resulting evaluation.

9. In the event that recurring evaluations reveal continuing and persistent problems with a faculty member’s performance that do not lend themselves to improvement after several efforts, and that call into question his or her ability to function in that position, then other possibilities, such as a mutually agreeable reassignment to other duties or separation, should be explored. If these are not practicable, or if no other solution acceptable to the parties can be found, then the administration should invoke peer consideration regarding any contemplated sanctions.

10. The standard for dismissal or other severe sanction remains that of adequate cause, and the mere fact of successive negative reviews does not in any way diminish the obligation of the institution to show such cause in a separate forum before an appropriately constituted hearing body of peers convened for that purpose. Evaluation records may be admissible but rebuttable as to accuracy. Even if they are accurate, the administration is still required to bear the burden of proof and demonstrate through an adversarial proceeding not only that the negative evaluations rest on fact, but also that the facts rise to the level of adequate cause for dismissal or other severe sanction. The

faculty member must be afforded the full procedural safeguards set forth in the 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings and the Recommended Institutional Regulations on Academic Freedom and Tenure, which include, among other safeguards, the opportunity to confront and cross-examine adverse witnesses.

Michigan State University

Post-Tenure Review

“Michigan State University has not adopted a distinct separate policy on the review of faculty following the award of tenure. Post-tenure review is implemented through several existing policies and procedures (contained in the Faculty Handbook), including a clarifying interpretation by the University Committee on Faculty Tenure on the meaning of the term "incompetence" in the disciplinary and dismissal policy. Performance is monitored through the use of annual written performance evaluations as required by the policy on "Faculty Review." Work performance, as determined in such reviews, is to be reflected in annual merit salary adjustments and as a basis for advice and suggestions for improvement. Although not triggered by a fixed number of years of low performance, discipline in a variety of forms may be invoked under the "Discipline and Dismissal of Tenured Faculty for Cause" policy. In more serious cases, dismissal can be invoked under the "Discipline and Dismissal of Tenured Faculty for Cause" policy. This procedure involves notice and a formal hearing involving review by peers. Interpretation of the term "incompetence" by the University Committee on Faculty Tenure includes an expectation for professional development support and review by peers before disciplinary or dismissal action is contemplated. More information is available on the history of post-tenure review deliberations.”²⁹

Discipline and Dismissal of Tenured Faculty for Cause

Purdue University

“In collaboration with the dean of the college/school, each department or school head/chair will develop a performance review process of all faculty in the head/chair’s unit that includes annual written feedback for assistant and associate professors and written feedback for full professors at least once every three years. This process will be based upon a required report submitted by the individual faculty member at the same interval. The performance review and faculty member report will encompass a broad range of activities and may contemplate annual or multi-year goals. Activities may be weighted in keeping with the role and responsibilities of individual faculty members. A description of the process must be approved by the dean of the college/school and made available to the faculty through a medium such as the department or school intranet site. A useful performance review is one that entails a rigorous assessment of all professional activities

²⁹ Michigan State University Faculty Handbook (2008)

and responsibilities. A unit's review may include comparisons to normative department/school/college expectations, assessment of progress toward annual or multi-year goals and aspirations, and identification of professional development activities for the upcoming year(s). Feedback gathered from the analysis developed annually by the unit's associated Primary Committee may be considered in the performance review for assistant and associate professors.³⁰

Texas A&M University

Evaluation

"An annual review will be conducted in a timely fashion for all faculty members regardless of rank. The purpose of the annual review is to evaluate performance and provide feedback, as well as to increase transparency and facilitate understanding between administrators and faculty with regard to expectations and accomplishments. The focus of the annual review process will be on performance, but the nature and purpose of the review will likely vary as a function of the faculty title and rank. For academic professional track faculty, the annual review will focus on performance and potential for continued appointment, with performance being evaluated in alignment with what is stated in the faculty member's appointment or reappointment letter. Annual reviews also serve as the basis for merit-raise decisions. For tenure-track faculty, the annual review will focus on progress in a long-term scholarly career, with the review taking into consideration the different expectations and markers for success for the particular stages in their careers. For non-tenured, tenure-track faculty, as well as associate professors with tenure, the annual review must also provide feedback regarding progress toward tenure and/or promotion. For full and distinguished professors, the annual review must include an indication of the extent to which performance continues to meet the achievement expectations for rank. The department head will provide the faculty member with a written annual review. A conference between the faculty member and the department head can be requested by either the department head or the faculty member."³¹

Criteria for rating faculty performance in an annual review will be established by departmental or college faculty and approved by the department head, dean, and Vice President for Faculty Affairs, and will be published and disseminated in advance of the academic year in which they are to be used. At a minimum, rating categories for annual reviews shall include "Unsatisfactory", "Needs Improvement", and "Satisfactory", each defined according to departmental standards, and consistent with University policy. Additional meritorious categories (e.g. exceeds expectations, significantly exceeds expectations, outstanding, etc.) may also be considered, but should be limited to a small percentage of the faculty. An overall unsatisfactory rating is defined as being "Unsatisfactory" in any single category, or a rating of "Needs Improvement" in any two

³⁰ Purdue University Performance Reviews for Tenured, Tenure-Track, Clinical/Professional and Research Faculty. <https://www.purdue.edu/policies/academic-research-affairs/s4.html>.

³¹ Texas A&M University, *Standard Administrative Procedure*

categories. An annual review resulting in an overall “Unsatisfactory” performance shall state the basis for the rating in accordance with the published department or college/school criteria. Each unsatisfactory review shall be reported to the dean and to the Vice President for Faculty Affairs. The report to the dean of each “Unsatisfactory” performance evaluation should be accompanied by a written plan for near-term improvement, developed in collaboration between the faculty member and department head, no later than 45 days after the evaluation is completed. If deemed necessary, due to an unsatisfactory annual evaluation, the department head may request a “Periodic Peer Review” (section 3) of the faculty member. If a faculty member receives a “Needs Improvement” rating in any single category, he or she must work with his or her department head immediately to develop an improvement plan, no later than 45 days after the evaluation is completed. For teaching or service, this plan should take one (1) year or less to complete successfully. In other areas (e.g. research, scholarship, and creative work), this plan may (but is not required) to take up to three (3) years to complete successfully with clearly identified milestones at least yearly. The rating of “Needs Improvement” will be changed to “Unsatisfactory” if the predetermined milestones in the improvement plan have not been met; otherwise, the rating will be changed to “Satisfactory” A finding of “Unsatisfactory” performance in any category shall state the basis for that finding in accordance with the criteria described in the department/college/school guidelines. An unsatisfactory Periodic Peer Review will trigger the initiation of a Professional Development Review. A finding of “Needs Improvement” in any two categories shall state the basis for that finding in accordance with the criteria described in the department/college guidelines. Such an outcome will also trigger the initiation of a Professional Development Review. A finding of “Needs Improvement” in a single category must specifically elaborate the deficiencies in order to better inform the immediate development of a near term improvement plan developed in collaboration between the department head and the faculty member.³²

Post-Tenure Review

“The rigor of the hiring and review process, the demands of quality teaching and student advising, the necessity and value of research and other creative endeavors, and the obligations of service to the public are clearly understood within the university community. The annual post-tenure performance review of a faculty member provides a mechanism to measure the productivity of the individual and should be designed to encourage a high level of sustained performance. Post-tenure evaluations should be based on the professional responsibilities of the faculty member in teaching, research, scholarship, or creative work, service, and other assigned responsibilities, and must include peer review of the faculty member.”³³

“Post-tenure review is required of all tenured faculty at Texas A&M University. It is intended to affirm continued academic professional development and enable a faculty

³² Texas A&M University, *Standard Administrative Procedure 12.06.99.M0.01: Post-Tenure Review* (p. 2)

³³ Texas A&M University, *Faculty Handbook (2020-2021)* (p. 8)

member who has fallen below performance norms to pursue a peer-coordinated professional development plan and return to expected levels of productivity. Post-tenure review includes annual performance reviews by the department head (or individual responsible for conducting the annual evaluation, such as program director, dean, or designated supervisor; hereafter referred to as department head) and a review by a peer review committee which occurs at least once every six years. This procedure does not supersede University Rule 12.01.99.M1, *University Statement on Academic Freedom, Responsibility, Tenure, and Promotion* that defines tenure policies and the process under which dismissal for cause proceedings may be initiated.”³⁴

“A Professional Development Review will be initiated when a tenured faculty member receives three consecutive overall “Unsatisfactory” annual reviews (section 2) or an “Unsatisfactory” Periodic Peer Review (section 3) or upon request of the faculty member (section 7). The department head will inform the faculty member that he or she is subject to a Professional Development Review, and of the nature and procedures of the review. A faculty member can be exempted from review upon recommendation of the department head and approval of the dean, under extenuating circumstances (e.g. serious illness). The faculty member may be aided by private legal counsel or another representative at any stage during the Professional Development Review process. The Professional Development Review will be conducted by an ad hoc faculty review committee (hereafter referred to as the review committee), unless the faculty member requests that it be conducted by the department head. The three member ad hoc faculty review committee will be appointed by the dean, in consultation with the department head and faculty member to be reviewed. When appropriate, the committee membership may include faculty from other departments, colleges, or universities. The purpose of the Professional Development Review is to: acknowledge if substantial or chronic deficits in performance exist; develop a specific professional development plan by which to remedy deficiencies; and monitor progress toward achievement of the professional development plan. The Professional Development Review by the faculty committee will be completed normally within three (3) months after submission of the dossier. The Professional Development Review will result in one of three possible outcomes: No deficiencies are identified. The ad hoc review committee so informs the faculty member, department head, and dean in writing, and this report supersedes the outcome of the prior annual review; Some deficiencies are identified but are determined not to be substantial or chronic. The review committee specifically elaborates the deficiencies in writing and a copy is provided to the faculty member, the department head, and the dean to better inform the near term improvement plan of Section 2.4, which must be put in place no later than 45 days after the committee’s final report; or Substantial or chronic deficiencies are identified. The review committee specifically elaborates the deficiencies in writing and a copy is provided to the faculty member, department head, and dean. The faculty member, review committee, and department head shall then work together to draw up a “Professional Development Plan” (see section 5) acceptable to the dean. If, after consulting with the review committee, both the department head and dean agree that the faculty member has failed to meet the goals

³⁴ Texas A&M University, *Standard Administrative Procedure 12.06.99.M0.01: Post-Tenure Review* (p. 1)

of the Professional Development Plan and that the deficiencies in the completion of the plan separately constitute good cause for dismissal under applicable tenure policies, dismissal proceedings may be initiated under applicable policies governing tenure, academic freedom, and academic responsibility.”³⁵

University of Arizona

Annual Performance Evaluation

“Each faculty member's performance will be evaluated in writing on a scheduled basis at least once every 12 months. The annual performance review will evaluate the faculty member's performance in the faculty member's department or unit consistent with that unit's responsibilities and University and ABOR policies. Every annual review of teaching will consist of peer and student input, including student evaluations of faculty classroom performance in all classes, and other expressions of teaching performance.”

“The assessment of performance will include a peer review by faculty in the department, program, or instructional unit and a review by the immediate administrative head. If peer reviews are conducted by all members of the faculty or by peer reviewers specifically selected because their expertise is relevant to the individual faculty member, a peer review committee must still be in place in order to oversee the review process and advise the head or director on any individual reviews that require remediation or other action. The peer reviewers are to be elected unless decided otherwise by the faculty of the unit, and their deliberations, evaluations, and recommendations, as well as any evaluations or recommendations received by them, are confidential. However, the immediate administrative head will provide the faculty member with a summary of the peer evaluation upon request. Written evaluation criteria will be developed by faculty of the department or unit, together with the unit head, to document the performance expectations for faculty members. The recommended categories for evaluation are truly exceptional, exceeds expectations, meets expectations, needs improvement, and unsatisfactory. The stated expectations will differentiate between satisfactory and unsatisfactory performance and must align with the mission of the department or unit, the college or division, and the norms of the discipline. These expectations must be approved by the college dean and the Provost.”

“Criteria for reviews of annual performance must consider teaching effectiveness, research and scholarly growth, creative activity, service, and outreach. Evaluation criteria may provide for recognition of long-term faculty activities and outcomes. Concentration of effort in one of the three major areas of faculty responsibilities (teaching, research, and service) is permissible, and may even be encouraged. Guidelines and evaluation procedures within departments will be flexible enough to meet the particular objectives of the department without undermining the uniformity of the whole system. When teaching effectiveness is

³⁵ Texas A&M University, *Standard Administrative Procedure 12.06.99.M0.01: Post-Tenure Review* (pp. 5-7)

evaluated, a systematic assessment of both student and peer opinion will constitute one component of the evaluation.”

“Each annual review will emphasize performance in the current year, while also considering teaching effectiveness, service contributions, and research productivity over the past three to five calendar years. Reviews will consider performance patterns over the entire period of review, which will be determined by the unit. For example, previous ratings of needs improvement that have not been redressed may justify an unsatisfactory rating. If a career-track or tenure-eligible faculty member receives an overall annual performance review rating of unsatisfactory, the faculty member's immediate supervisor or department head, in consultation with the peer review committee, may either develop a remediation plan for the faculty member, which includes specific benchmarks to improve the faculty member's performance over the next review period, or may choose to initiate other actions in accordance with University policy, which could include termination.”

“Tenured faculty members who receive annual performance review ratings of unsatisfactory in any area of responsibility are required to enter one of two processes, either the Faculty Development Plan or the Performance Improvement Plan, depending upon the extent of the deficiency or deficiencies.”³⁶

Post-Tenure Review

“The Faculty Development Plan: A tenured faculty member who receives an annual performance review rating of overall satisfactory but with an unsatisfactory rating in any single area of performance (for example, teaching) will enter into a Faculty Development Plan (FDP) at the unit level, except as set forth in section 3.2.05.b below. The faculty member's administrative head, in consultation with the peer review committee, also may develop a Faculty Development Plan as set forth below for a faculty member who receives a rating of needs improvement in more than one area. The objective of the FDP is to address an unsatisfactory rating in a single area of performance before it becomes sufficiently serious to impair the faculty member's overall performance. Corrective action can involve a plan to improve the unsatisfactory performance and/or to redirect the faculty member's work responsibilities to areas of particular strengths. The plan, developed at the unit level in collaboration with the faculty member, may have a maximum of one-year duration and will include appropriate interim monitoring and feedback. If the administrative head and the peer committee determine in the next evaluative period that sufficient progress in the unsatisfactory area has not occurred in one year within the terms of the plan, an unsatisfactory rating will be assigned to the faculty member's overall performance for that evaluative period and the Performance Improvement Plan (PIP) process described below will apply.”

³⁶ The University of Arizona, *Annual Performance Reviews of Faculty UHAP 3.2* (2018).
<https://policy.arizona.edu/employment-human-resources/annual-performance-reviews-faculty>.

“The Performance Improvement Plan: A tenured faculty member who receives an annual performance review rating of overall unsatisfactory will enter directly into the Performance Improvement Plan (PIP) process. An overall unsatisfactory rating may result from (a) two or more areas of performance rated as unsatisfactory; (b) one area of performance rated as unsatisfactory, depending on the emphasis assigned to that area or the extent of the deficiency; (c) the faculty member's failure to provide annual performance review information to the immediate administrative head and peer review committee by the established deadline (unless the administrator extends the deadline for providing that information based upon good cause); or (d) the faculty member's failure to achieve a satisfactory outcome in a FDP. Within 30 days of receiving the annual performance review rating or the outcome of an appeal of that review, the faculty member and the immediate administrative head will develop the PIP in consultation with the peer review committee and with approval by the dean. The PIP will specify its anticipated duration, and will be implemented as soon as possible after it has been developed but no later than the semester following the overall unsatisfactory annual performance review rating. For deficiencies in any area (teaching, service, or research), the PIP will generally be effective no longer than one year. In those rare circumstances where the nature of the deficiency cannot be fully remedied in one year, the PIP may extend beyond one year but in no event will a PIP exceed three years in duration. The Provost must approve any PIP that exceeds one year in duration. The PIP concludes when any one of the following occurs: The faculty member achieves overall satisfactory performance as required by the PIP and as documented by the special evaluation and approved by the dean; or the faculty member fails to demonstrate adequate progress relative to the PIP's benchmarks and performance goals, which will constitute just cause for dismissal, and result in a recommendation for dismissal, in accordance with ABOR-PM 6-201(J); or the faculty member fails to participate in the PIP process or fails to submit required materials when requested, which will lead to a recommendation for dismissal.³⁷

University of Maryland

Post-Tenure Review

“Each tenured faculty member shall be subject to periodic comprehensive reviews that assess the faculty member's performance. Comprehensive review shall be a formative process for future faculty development, for enhancing the learning environment of students, and for the improvement of the academic program to which the faculty member contributes. Comprehensive review shall be conducted as a process of collegial assessment, take place at the department/unit level, and be consistent with the general principles of peer review. Each institution shall determine the appropriate level at which such review shall take place. Institutional policies and procedures shall address specifically the elements of peer review, including the responsibilities of the faculty member to the review, the process of review to be conducted by department/unit colleagues, and the roles

³⁷ The University of Arizona, *Annual Performance Reviews of Faculty UHAP 3.2* (2018).
<https://policy.arizona.edu/employment-human-resources/annual-performance-reviews-faculty>.

of the department/unit chair, dean and provost (or other appropriate senior academic officer). Department/unit policies and procedures shall be filed with and approved by the dean and provost (or other appropriate senior academic officer). The comprehensive review shall include an evaluation of instruction, research/scholarship, and service. Institutional policies and procedures shall be consistent with the preservation of academic freedom and shall include specific criteria to assess the expectations of faculty performance over time. Each tenured faculty member shall be reviewed at least once every five years. Each review shall evaluate the faculty member's performance since the last review. Annual salary and workload reviews may be used as part of the comprehensive review. Two consecutive annual reviews that indicate that a faculty member is materially deficient in meeting expectations* shall occasion an immediate comprehensive review, which shall be in addition to those otherwise required by this policy. [NOTE: *Quantitative workload "expectations" are clarified in section IV. Standard Workload Expectations of the BOR Policy on Faculty Workload and Responsibilities (II-1.25). Qualitative performance expectations shall be determined at the department/unit level.] While the faculty member shall be a principal provider of the review materials, multiple sources of information shall be used as the basis for the evaluation. A favorable periodic review shall be conveyed to the faculty member, and, where possible, shall be considered in decisions on promotion, merit pay, and other rewards. If a faculty member's performance is judged as not meeting expectations, a specific development plan shall be worked out among the dean, department/unit, and the individual faculty member, consistent with the overall faculty development programs and resources of the individual campus. This plan shall include a procedure for evaluation of progress at fixed intervals and shall be signed by all parties. The faculty member being reviewed shall have access to summary written reports and shall have ample opportunity to respond to such reports in a formal way. This comprehensive review process may not be substituted for the UMS and institutional policies and procedures relating to the termination of tenured appointments, which are in no way amended by this policy. Each institution shall develop policies and procedures consistent with this policy. Institutional policies and procedures for periodic review shall not duplicate other existing institutional policies and procedures. The UMS policy on comprehensive review, and any institutional policies and procedures on comprehensive review, are in addition to other UMS and institutional policies and procedures concerning faculty evaluation and/or termination.³⁸

University of Missouri

Evaluation

The tenured faculty of each department or unit will develop and publish standards for satisfactory performance which include minimum standards for teaching, research, and service as well as general principles for determining an overall satisfactory performance. They will be reviewed as part of the five-year program review. These standards are

³⁸ University of Maryland, *Policy on the Comprehensive Review of Tenured Faculty* II-1.19 (1996).
<https://www.usmd.edu/regents/bylaws/SectionII/II119.html>.

intended for use over the five-year time period covered by the post-tenure review (see B.1.c. below).

Every tenured faculty member, except department chairs and those whose positions are primarily administrative (as defined in their appointment letter), will submit a signed annual report describing their activities in research, teaching and service. The annual performance review will cover the performance for the past year. In addition, the chair and faculty member will discuss plans for the coming year in order to establish the workload distribution for the coming year or for multiple years up to the five-year post-tenure review (see CRR 310.080.C). The annual report will be reviewed by the chair or evaluation committee of the unit following normal unit practices. In this document the term chair will be used to mean the appropriate unit director (e.g., chair, unit administrator, area coordinator, etc.). Chairs will be reviewed annually by the dean according to the standards described in B.1.a. Using the unit standards for the annual performance review (described in B.1.a), and taking into consideration the faculty member's workload distribution (described in CRR 310.080.C.), the activities of the faculty member will be rated as satisfactory or unsatisfactory in research, teaching and service, and an overall evaluation of satisfactory or unsatisfactory will be provided. The faculty member will receive this information in a written evaluation. The faculty member will sign the written evaluation to acknowledge its receipt and may provide a written response to the evaluation. A copy of this signed evaluation will be provided to the faculty member by the chair within a month after the faculty member has signed the evaluation.

If a faculty member receives an unsatisfactory evaluation in any category, there must be a face-to-face discussion of the evaluation between the faculty member and the chair to create a plan for achieving satisfactory evaluations. This may involve changing the faculty member's workload distribution (see CRR 310.080.C). One unsatisfactory evaluation in either teaching or research (or any major area of assignment) will result in an overall unsatisfactory evaluation. If the chair or evaluation committee has significant concerns about only one category, but determines that overall the faculty member has met the department standards, then the chair or committee may assign an overall satisfactory with warning and create an improvement plan to address the concern. The improvement plan will specify both the standards that the faculty member will achieve and the support that the department and/or other units will provide to the faculty member. If the unsatisfactory evaluation is in the teaching category, the chair will refer the faculty member to the campus unit responsible for fostering teaching excellence, and the faculty member must work with that unit to improve pedagogical methods. The improvement plan will be attached to the signed annual performance evaluation. If the faculty member disputes an overall unsatisfactory evaluation, the dean will review the evaluation and decide whether to affirm the evaluation or return it to the department chair for revision. In the succeeding annual performance review, failure to meet the standards set out in the plan will result in an overall unsatisfactory evaluation.

At five-year intervals a tenured faculty member will resubmit the annual reports and evaluation statements for the past five years, with a concise summary statement of research, teaching, and service activities for the five-year period, and a current curriculum vitae. The review may be conducted either by the unit chair or by an evaluation committee of the unit, as decided by a vote of the tenured faculty (committee membership is

described below in h.1.a.). The first five-year post-tenure review will be conducted five years after the tenure decision or the last formal review of the faculty member for promotion to associate professor or professor. Faculty hired with tenure will be reviewed five years after they are hired.³⁹

Post Tenure Review

Based on the five-year report, the chair or evaluation committee will evaluate the faculty member's performance as satisfactory or unsatisfactory. Satisfactory overall performance evaluations for each year will automatically be deemed sufficient for a satisfactory post-tenure review. The five-year evaluation process will be complete with a satisfactory evaluation. The purpose of the five-year post-tenure review is not merely to identify and remedy unsatisfactory performance, but also to identify and reward excellence in teaching, research, and service in accordance with the assigned workload distribution. In consultation with the chair, the Provost and the Dean will provide incentives to faculty who have exhibited such excellence.

If an unsatisfactory overall performance review occurs in one or more years over the five year period, trends in the faculty member's performance will be considered in the final determination of the five-year post-tenure review. If the post-tenure review is deemed unsatisfactory by the chair and the initial review was conducted by the chair, then the chair will send the five-year report to the evaluation committee of the unit. The departmental committee of faculty peers will perform its own full review of the performance of the faculty member over the five-year period and provide an independent assessment of the performance of the faculty member.

The report will be forwarded to the appropriate dean, indicating the decision of the chair and departmental committee. The dean will review the report and provide an assessment of the performance of the faculty member. The five-year evaluation process will be complete if the dean judges the performance of the faculty member to be satisfactory. If a majority of the evaluation committee of the department/unit and the dean consider the performance of the faculty member to be unsatisfactory, a plan for professional development will be written (see B.2. below).

At every level of review, the faculty member will be provided with a copy of any written report that is part of these proceedings and will have the right of appeal of any evaluations, decisions, or recommendations to the next level of the process.

(1) Committee Membership

(a) The evaluation committee is typically the one that reviews faculty for tenure and promotion (CRR 320.035.A.1.d.). Only those who are tenured faculty members in the department may participate in the evaluation, except in circumstances described below.

(b) If there are not enough tenured faculty members within the primary department to comprise a committee of three, a special committee shall be formed in the same way as for a departmental tenure and promotion committee (CRR 320.035.A.1.d.). The committee

³⁹ University of Missouri, *Faculty Bylaws and Tenure Regulations*, Chapter 310.015.

https://www.umsystem.edu/ums/rules/collected_rules/faculty/ch310/310.015_procedures_for_review_of_faculty_performance.

may include faculty member(s) emeriti from the primary department in accordance with established procedures. In addition, it may include retired faculty from the primary department who are part of an established recognition program according to Collected Rules and Regulations of the University, Section 310.075.B. The retired or emeriti faculty serving on the committee shall not be greater than 50% of the committee membership.

Formulation of Development Plan and Assessment of Progress

The development plan will be developed by the faculty member, the department/unit committee, and the chair of the unit. This development plan will have clear and attainable objectives for the faculty member and may include a reallocation of the faculty member's workload distribution in accord with the department workload standards (see CRR 310.080.C.) and a commitment of institutional resources to the plan. This plan will be signed by the faculty member, the chair or unit administrator, and the dean. The development phase will begin when the necessary resources as described in the development plan are provided.

A faculty member who has received an overall unsatisfactory five-year evaluation by the chair, the departmental committee, and the dean may not appeal the process of developing a professional plan. If the faculty member is not satisfied with the plan that has been developed, they may appeal to the next administrative level for help in the formulation of an acceptable development plan.

A faculty member with a plan for professional development will submit an annual progress report to the chair for three successive years after the plan has been initiated. The chair will review the report and provide a written annual evaluation on the progress of the faculty member toward the objectives stated in the development plan. If the chair finds satisfactory progress for any two of the three years, then the process will cease and the faculty member will begin a new five-year cycle.

If the chair does not find satisfactory progress in two of the three years of the development plan, the chair will provide the annual reports and evaluations to the department/unit committee. If the unit committee finds satisfactory progress in two of the three years of the development plan, the process ceases and the faculty member will begin a new five-year cycle.

If both the chair and the unit evaluation committee do not find satisfactory progress in two of the three years of the development plan, the chair will provide annual reports and evaluations to the dean. If the dean finds satisfactory progress in two of the three years of the development plan, the process ceases and the faculty member will begin a new five-year cycle.

If the chair, the department/unit committee and the dean do not find satisfactory progress in two of the three years, then the five-year evaluations plus the three years of progress reports and evaluations by the chair on the development plan will be forwarded to the campus committee on Tenure and Promotion and to the Provost or Vice Chancellor for Academic Affairs. Each will review the reports and will recommend separately to the Chancellor that: 1) an additional two-year development plan be written and implemented in consultation with the faculty member and the originating departmental committee, or 2) the faculty member be considered for dismissal for cause proceedings (see section 3.)

Any faculty member may request participation in a formal development plan (as described in 2.a.) after two or more consecutive unsatisfactory annual evaluations. In addition, chairs will strongly encourage faculty who have had three consecutive unsatisfactory annual evaluations to participate in a development plan.

Dismissal for Cause

If it is deemed by the Chancellor that the performance of the faculty member during the periods covered in section 2 constitutes sufficient grounds, dismissal for cause may be initiated and if initiated will proceed in accordance with the procedures for dismissal for cause described in section 310.060.

This procedure for review and development of faculty performance does not substitute for the dismissal for cause procedures stated in section 310.060.

Notwithstanding the provisions of section 310.015 B.2.f. above, this procedure does not impose additional requirements upon the University prior to initiating dismissal for cause procedures as stated in section 310.060.⁴⁰

University of Wisconsin-Madison

Evaluation

None for Tenured Faculty

Post Tenure Review

The purposes of the review of tenured faculty are:

- to recognize outstanding achievement;
- to provide opportunities for mentoring and professional development;
- to help identify and remedy, from a developmental point of view, any deficiencies in teaching, service, outreach/extension, and research/scholarly productivity.

The process of post-tenure review is the periodic assessment of each faculty member's activities and performance, in accordance with the mission of the department, college, and institution, and the responsibilities of the faculty as described in Faculty Policies and Procedures 8.02. The review is to be appropriately linked to the merit process, and should not involve the creation of unnecessary additional bureaucracy. Review of tenured faculty builds on and complements other aspects of the tenure process in order to develop faculty capacity and strengthen and promote the public benefits of tenure. Post-tenure review is not a reevaluation of tenure and is not undertaken for the purposes of discipline or dismissal. Faculty shall be subject to discipline or dismissal only for just cause (see Faculty Policies and Procedures 9.). Departments, schools, and colleges may not use post-tenure

⁴⁰ University of Missouri, *Faculty Bylaws and Tenure Regulations*, Chapter 310.015.

https://www.umsystem.edu/ums/rules/collected_rules/faculty/ch310/310.015_procedures_for_review_of_faculty_performance.

reviews as the basis for budgetary decisions or for decisions regarding program discontinuance, curtailment, modification, or redirection.

Criteria.

The basic standard for review shall be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with the faculty member's position.

Each department shall develop criteria to measure progress in teaching, service, outreach/extension, and research/scholarly productivity as appropriate to the field and consistent with Faculty Policies and Procedures 8.02. Each department shall develop criteria to measure progress in scholarly productivity as appropriate to the field. The criteria for review shall be periodically reviewed by the executive committee of each department and the school or college APC.

The criteria for review should reflect the overall mission of the department, be sufficiently flexible to accommodate faculty with differing responsibilities, and recognize that careers and levels of productivity may change over time. In developing such criteria, departments may draw on statements used in other faculty review procedures, such as merit or promotion review. Special care should be taken to ensure that the scholarly productivity of jointly appointed and interdisciplinary faculty is appropriately evaluated.

The executive committee of each department shall ensure that the criteria governing faculty review do not infringe on the accepted standards of academic freedom of faculty, including the freedom to pursue novel, unpopular, or unfashionable lines of inquiry or innovative methods of teaching, and recognize that scholarly projects take varying amounts of time to come to fruition. Nothing in the criteria or application of these policies shall allow the review to be prejudiced by factors proscribed by applicable state or federal law, such as race, religion, sex, sexual orientation, ethnicity, age, and handicap.

For the purposes of this chapter, the following definitions shall apply:

A review resulting in an indication of "exceptionally good" performance shall constitute a rating of "exceeds expectations" for the purposes of Regent Policy Document (RPD) 20-9 sec. 9.b.

A review indicating "substantial deficiencies" in performance shall constitute a rating of "does not meet expectations" for the purposes of RPD 20-9 sec. 9.b.

All other review results under this chapter shall constitute a rating of "meets expectations" for the purposes of RPD 20-9 sec. 9.a. Discharging conscientiously and with professional competence the duties appropriately associated with the faculty member's position shall serve as the standard for "expected level of accomplishment" as described in the RPD.

For schools and colleges that are not officially divided into departments, all references to "department" or "chair" in this policy shall be understood to refer to the equivalent unit and its corresponding chair or equivalent.

An initial review indicating substantial deficiencies shall not constitute a disciplinary action under Faculty Policies and Procedures 9.

Procedures.

Reviews shall occur at least once every five years. These reviews may incorporate the annual merit review process and may encompass promotion, retention, salary, or other

reviews, including but not limited to nominations for named chairs and professorships, major teaching awards, and national professional honors or awards. In the case of combined reviews, the department may require supplementary documentation from the faculty member, which meets the criteria below, that would not otherwise be required for the other review. The review may be deferred, by approval of the provost, for unusual circumstances such as when it may coincide with an approved leave, significant life event, promotion review, or other appointment, and the provost may then determine a new review schedule. Each review, as determined by each department's executive committee, shall be carried out by two or more tenured faculty members, who may be drawn from outside the department. Upon notification of the reviewers selected by the committee, if the faculty member under review formally objects to a reviewer, the chair, in consultation with the relevant dean, shall identify other appropriate reviewers. Such formal objections should be kept confidential. In the case of a faculty member with appointments in more than one department, the department chairs of the affected departments shall agree in writing on procedures for the conduct of the review.

Review procedures shall include:

A review of qualitative and quantitative evidence of the faculty member's performance over at least the previous five-year period. The evidence should include a current curriculum vitae, annual activity reports, teaching, and student evaluations or summaries of evaluations, and other materials providing evidence of the faculty member's accomplishments and contributions that the department or the faculty member feel are relevant to the review. The faculty member should provide the reviewers with a brief summary of career plans for the future. Letters from outside the university would not ordinarily be a part of the review process. The faculty member under review, however, may submit appropriate letters if they so choose. The reviewers shall examine materials to the degree needed to accomplish the purposes of this review.

Discussion with the faculty member about their contributions to the profession, the department, and the university if either the reviewers or the faculty member so desire.

Appropriate consideration of a faculty member's contributions outside the department to interdisciplinary and other programs, governance, and administration.

Other steps the reviewers consider useful in making a fair and informed judgment, including but not limited to consultation with individuals who have knowledge of the faculty member's work.

The reviewers shall provide the faculty member with a written summary of the review. The faculty member shall have the right to prepare a written response to the summary within 30 days after receipt.

A copy of the summary and any written response to it shall be given to the department chair and shall be placed in the personnel file of the faculty member. A copy shall also be provided to the appropriate dean for sufficiency review. The department shall also preserve in the faculty member's personnel file all documents that played a substantive role in the review (other than documents such as publications that are readily accessible elsewhere), and a record of any action taken as a result of the review. The summary and outcome of the review shall remain confidential, that is, confined to the appropriate departmental, college, or university persons or bodies and the faculty member being evaluated, released

otherwise only at the discretion, or with the explicit consent of, the faculty member, or as otherwise required by business necessity or law.

Every effort should be made to offer tangible recognition to those faculty identified as exceptionally good, including but not limited to, nomination for university, national, and international awards and relevant merit and other benefits.

Following the initial departmental review and faculty member's response, if any, the dean shall conduct a sufficiency review. In the event that the dean considers that the review was insufficient, they shall provide the reasons to the executive committee in writing why the review was insufficient within 14 days of receiving the departmental report. The executive committee may provide a response addressing the dean's concerns about the sufficiency of the review within 14 days. The dean will then make a recommendation to the provost on whether or not the faculty member "meets expectations."

If neither the departmental review nor the dean's review indicate substantial deficiencies, the post-tenure review process is concluded.

If both the departmental review and the dean's review indicate substantial deficiencies, the remediation process described in 7.b. shall commence immediately.

In the event the dean's review indicates substantial deficiencies not identified in the departmental review, the dean must provide written reasons within 14 days to the faculty member for the recommendation and the faculty member may provide a written response to the dean within 14 days. This statement can include new documentation on the faculty member's accomplishments. Within 5 days of the end of the faculty member's written response deadline, the dean will forward their review and the departmental review, along with any written response statements from the faculty member, to the provost.

In the event the departmental review indicates substantial deficiencies but the dean dissents, the dean will forward their recommendation, along with the departmental review and any written response statement from the faculty member, to the provost.

If the post-tenure review is not concluded at the dean's level per 6.a. or 6.b. above, upon receipt of the dean's recommendation, the provost will perform their own review, including consultation with the divisional committee review council (DCRC), which also will be provided with the executive committee recommendation, the dean's recommendation, and any faculty responses. The provost shall request advice from the DCRC within 5 days of receiving the dean's recommendation and the council will provide their advice within 30 days of receiving the request from the provost.

Review by the provost, or review by the dean which is not submitted for the provost's review, shall be the final review.

If after the reviews the substantial deficiencies are confirmed by the provost, support from institutional resources for professional development shall be proffered. The department chair and the faculty member shall develop a written plan for mentoring and professional development to address all issues identified in the review, in consultation, with the appropriate dean(s), who shall resolve any disagreements as to the creation of the remediation plan. This plan shall be the product of mutual negotiation and discussion between the faculty member and the chair and/or dean(s), shall respect academic freedom and professional self-direction, and shall be flexible enough to allow for subsequent alteration. Such a plan could include review and adjustment of the faculty member's responsibilities, development of a new research program or teaching strategy, referral to

campus resources, assignment of a mentoring committee, institution of mandatory annual reviews for a specified period, written performance expectations, and/or other elements. The faculty member shall have the right to provide a written response regarding the manner in which any written development plan is formulated, the plan's content, and any resulting evaluation. This plan shall be completed no later than 30 days after the provost has informed the faculty member of the decision. The faculty member shall have three academic semesters to fully satisfy all of the elements of the remediation plan. If the remediation plan includes performance deficiencies in research, an extension of one academic semester may be granted by the chancellor.

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

The faculty member will submit documentation of their activities that address issues identified in the remediation plan to the faculty member's executive committee. This documentation will include any information that the faculty member deems relevant and can be provided at any time during the remediation period, but must be provided no later than 4 weeks before the end of the remediation plan period.

Within 30 days of receipt, the executive committee will review the materials submitted, and will make a determination as to whether all the elements of the remediation plan have been satisfied. The executive committee will then submit the faculty member's documentation along with their determination to the dean.

The dean shall review the faculty member's performance and determine, in consultation with the faculty member, their department chair, and the chancellor, whether the remediation plan and criteria have been satisfied or whether further action to address the substantial deficiencies must be taken.

If the dean determines that the faculty member has not satisfied all the elements of the remediation plan, then within 14 days the decision and written reasons for this decision shall be provided to the faculty member and to the provost. Within 14 days of receiving the notification from the dean, the faculty member can submit to the provost an additional written statement addressing the decisions made by the executive committee and the dean.

Consistent with the provisions of RPD 20-9 sec. 12.c.ii., in the event that the review conducted per 9.c. reveals continuing and persistent problems with a faculty member's performance that do not lend themselves to improvement by the end of the remediation period, and that call into question the faculty member's ability to function in that position, then other possibilities, such as a mutually agreeable reassignment to other duties or separation, should be explored. If these are not practicable, or no other solution acceptable to the parties can be found, then the University Committee must appoint an ad hoc committee of faculty to review proposed sanctions consistent with Faculty Policies and Procedures.

The standard for discipline or dismissal remains that of just cause as outlined in Faculty Policies and Procedures 9.02. and 9.03. The fact of successive negative reviews does not diminish the obligation of the institution to show such cause in a separate forum, following the procedures outlined in Faculty Policies and Procedures 9. Records from post-tenure review may be relied upon and are admissible, but rebuttable as to accuracy. The

administration bears the ultimate burden of proof on the issue of just cause for discipline and dismissal.

The faculty member retains all protections guaranteed in Faculty Policies and Procedures, including, but not limited to, the rights to appeal and the right to appeal disciplinary action to the Committee on Faculty Rights and Responsibilities as described in Faculty Policies and Procedures 9.07.

Accountability.

Copies of the departmental criteria and procedures for reviews of tenured faculty (including procedures to be used for individual tenured faculty with shared appointments in several departments) shall be filed with the appropriate chairs, deans, the provost, and the secretary of the faculty.

At the end of each academic year, the chair shall identify faculty to be reviewed by the end of the following academic year and the executive committee shall establish a calendar for reviews and provide notice to the identified faculty consistent with RPD 20-9 sec. 5.

Department chairs shall coordinate with their deans to schedule all initial departmental reviews to be conducted during the fall semester, ensuring that all reviews and responses are completed and reported to the dean no later than March 1.

Departments shall maintain a record of reviews completed, including the names of all reviewers.

At the end of each academic year, department chairs shall send a report to the appropriate dean(s) listing the names of faculty members reviewed during that academic year and summarizing the outcomes of those reviews.

If a department fails to conduct requisite reviews by the end of the academic year, the dean shall appoint reviewers to conduct reviews based on the department's specified criteria.

The periodic review of each department, in which the department's mission, personnel, and development are now evaluated, shall include review of the process for review of tenured faculty in the department.

Pursuant to RPD 20-9 sec. 16, reviews and remediation plans are not subject to grievance processes. Faculty retain all protections and rights to grievances and appeals provided elsewhere in these chapters, including but not limited to Faculty Policies and Procedures chapters 8 and 9, unrelated to post-tenure review.⁴¹

University of Wyoming

Evaluation

“The university recognizes that people are the university’s most important resource for achieving and sustaining excellence in teaching, research and creative activity, service, extension, and outreach. With the exception In-Residence, Adjunct, Visiting or Emeritus Faculty, all academic personnel, regardless of rank, tenure status or fixed-term status, shall be reviewed annually by the Academic Unit head and approved by the Dean in accordance with guidelines and procedures established by the Office of Academic Affairs

⁴¹ University of Wisconsin-Madison, *Faculty Policies and Procedures* (UW-807). https://policy.wisc.edu/library/UW-807#Pol807_7_15.

as well as the unit and college. Annual reviews are conducted in parallel with other performance reviews during the probationary period and for promotion. The first-year, mid-probationary, tenure, fixed term, and promotion reviews may replace the annual evaluation providing that the evaluation of annual performance can be disaggregated from the comprehensive review.

The annual review procedures shall be fair and impartial and shall incorporate the Performance Expectations and the allocation of effort. To ensure consistency over time, each Academic Unit shall publish its annual review guidelines. The guidelines shall address when and how peer review is incorporated into the annual review process for the purpose of providing advice to the Academic Unit head for annual performance evaluation. Annual review guidelines for the units shall be approved by the respective Dean (or Director of college-like unit) and shall be reviewed by the Vice Provost for consistency with University Regulations and Standard Administrative Policies and Procedures. The creation and modification of the annual review guidelines shall be a product of joint deliberation by faculty members and the Academic Unit head.”⁴²

Post-Tenure Annual Evaluation is “A formal discussion between the Unit Head and faculty member about the individual’s professional development and performance. The basis for this review is an annual performance evaluation carried out by the Unit Head to evaluate the past year’s performance and to review progress and achievement of goals. The annual evaluation of the faculty member is conducted by the Unit Head and is based on performance in each of the duties outlined in the faculty member’s job description. A consensus of the faculty of the Academic Unit shall determine when and how peer review is incorporated into the Annual Review process for the purpose of providing advice to the Unit Head.”⁴³

“If a faculty member receives an overall annual evaluation rating of Meets Expectations or better and receives Meets Expectations or better on each area of performance, no further action is required. If a faculty member receives an overall annual evaluation rating of Meets Expectations or better but receives Below Expectations in one or more areas of performance, the faculty member shall engage with their Unit Head to prepare a PIA [Performance Improvement Agreement]. If a faculty member receives an overall annual evaluation rating Below Expectations, the faculty member shall receive an Extensive Review. If a faculty member receives Below Expectations in one or more areas of performance for two consecutive years or for two of the previous four years, the faculty member shall receive an Extensive Review.”⁴⁴

⁴² University of Wyoming, *Regulations*, UW Regulation 2-10, (p. 1). https://www.uwyo.edu/regs-policies/files/docs/regulations-2021/uw_reg_2-10_approved_3-25-21.pdf.

⁴³ University of Wyoming, *Regulations*, UW Regulation 2-7, (p. 1). https://www.uwyo.edu/regs-policies/files/docs/regulations-2021/uw_reg_2-10_approved_3-25-21.pdf.

⁴⁴ University of Wyoming, *Regulations*, UW Regulation 2-10, (p. 4). https://www.uwyo.edu/regs-policies/files/docs/regulations-2021/uw_reg_2-10_approved_3-25-21.pdf.

The Extensive Review process begins with an administrative review, which consists of independent evaluations of the required materials by the Unit Head and Dean. Tenured faculty members are assessed to determine, at a minimum, whether performance Meets Expectations on each of the duties outlined in their job description. Note that the administrative review, unlike the Annual Review, is based on four years of performance materials. If both the Unit Head and Dean determine that the faculty member is meeting expectations, then the Extensive Review is deemed completed and no further action is required. If both the Unit Head and Dean have assessed the faculty member during the administrative review as performing Below Expectations on one or more job duty, a PIP will be developed to address the problematic area(s) of the faculty member's job performance. If the Dean determines the Unit Head and Dean are not in agreement that performance falls Below Expectations in the Administrative Review, then the Dean shall refer the case back to the Academic Unit for peer review and the following procedures are enacted. When this process is complete, the Provost and Vice President for Academic Affairs makes a final determination that the faculty is either meeting expectations or is performing Below Expectations. If the latter, the Provost and Vice President for Academic Affairs will instruct the faculty member and Unit Head to develop a PIP. The Below expectations Extensive Review process can be stopped at any time upon resolution and concurrence with the Provost and Vice President for Academic Affairs by the faculty member, Unit Head or Dean. If a discrimination or harassment charge is filed by the faculty member against the Unit Head and/or college Dean, the Below Expectations Extensive Review process continues but no final determination is implemented until the charge has been reviewed under UW Regulation 4-2.⁴⁵

Post Tenure Review

The purpose of Post-Tenure Review is to assess, recognize, develop, and enhance the performance of tenured faculty members at the University of Wyoming. Tenure is granted with the expectation of continued professional growth and ongoing productivity in research or creative activities, teaching, service, and extension. Thus, every tenured faculty member has the duty to maintain professional competence. In addition, Post-Tenure Review is intended to ensure institutional accountability and provide a process for the University to improve as an organization.

A Post-Tenure Review shall examine all duties outlined in the faculty member's job description during the period under consideration. Faculty members who fail to participate in any aspect of the Post-Tenure Review process, as required, may be subject to disciplinary action up to and including termination.

The Office of Academic Affairs shall ensure that the faculty in each Academic Unit develop and maintain a set of clearly defined standards and expectations for Post-Tenure Review evaluation. Performance expectations must make explicit the standards of the discipline and be consistent with University Regulations and policies. Deans shall assure that unit level standards and expectations are consistent with the discipline and with college and

⁴⁵ University of Wyoming, *Regulations*, UW Regulation 2-10, (pp. 4-6). https://www.uwyo.edu/regs-policies/files/docs/regulations-2021/uw_reg_2-10_approved_3-25-21.pdf.

University policies. Unit Heads and Deans shall continuously and consistently communicate these performance expectations with the faculty in each Academic Unit. Post-Tenure Review shall be conducted in a manner that is consistent with the preservation of academic freedom. Further, Post-Tenure Review is not a mechanism for re-assessing the tenure of faculty members who hold it. Revocation of tenure is a serious matter requiring dismissal for cause, as defined in UW Regulation 2-6. As discussed in this UW Regulation, it is possible for Post-Tenure Review, including its peer review and remedial steps, to lead to a conclusion that a faculty member's performance constitutes neglect of duty or other deficiencies identified during the review process, which are grounds for pursuing dismissal under procedures defined in UW Regulation 2-6. However, these are not the only grounds for dismissal and Post-Tenure Review is not the only pathway for determining that it is appropriate to pursue dismissal.⁴⁶

⁴⁶ University of Wyoming, *Regulations*, UW Regulation 2-10, (p. 3). https://www.uwyo.edu/regs-policies/files/docs/regulations-2021/uw_reg_2-10_approved_3-25-21.pdf.



FACULTY SENATE RESOLUTION 202204

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Faculty Senate Consideration: November 15, 2022

Topic: "Post-Tenure Review Period"

Whereas, Clemson University makes provision for faculty participation in planning, policymaking, and decision-making with regard to academic matters; and

Whereas, the University also provides for such participation in matters of faculty welfare and general university concern; and

Whereas, Policy Committee Report 202111 recommended that the *Faculty Manual* be amended to change post tenure review periods from a fixed five year timeframe to a continuous five year timeframe; and

Whereas, PCR202111 and its recommendations were accepted by the Faculty Senate on October 11, 2022; and

Whereas, amendments to the *Faculty Manual* must be made in order to effect the recommendations of the committee report; it is therefore

Resolved, that *Faculty Manual* Chapter V§G2 be amended to **strike** section G2 including subsections a, i, ii, iii, iv, v, (1), (2), vi, and b; and it is

Resolved, that *Faculty Manual* Chapter V§G4a be amended to **strike** the word "regular" and **replace** with the word "comprehensive"; and it is

Resolved, that *Faculty Manual* Chapter V§G5 be amended to **strike** section G5a and **replace with** the words, "All tenured faculty undergo post-tenure review every year." and **insert** the sentence, "Post-tenure reviews of tenured academic administrators is accomplished in accordance with CHAPTER VIII E. 4." as subsection "ai" and **insert** subsection "b" with the sentence, "Tenured faculty receiving two substandard ratings on annual performance reviews in the preceding five (5) years will undergo a comprehensive post-tenure review (PTR Part II)" and **insert** subsection bi with the words, "Substandard ratings include performance ratings of "fair," "marginal," or "unsatisfactory"; and it is

Resolved, that *Faculty Manual* Chapter V§G6hi(3) be amended to **strike** the words, "in each of the next three calendar years following the date of formal notification of the unsatisfactory outcome and" and **replace** with the words, "during the remediation period"; and it is

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2 **Resolved**, that *Faculty Manual* Chapter V§G6hii(5) be amended to **strike** the word,
3 “annually” and **replace** with the words, “during the remediation period”; and it is

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5 **Resolved**, that *Faculty Manual* Chapter V§G6hii(7) be amended to **strike** the words, “three-
6 year period” and **replace** with the words, “remediation period” and insert the word,
7 “comprehensive” before the word, “post-tenure”; and it is

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9 **Resolved**, that *Faculty Manual* Chapter V§G6hii(9) be amended to **strike** the words, “then
10 the normal five-year annual performance review cycle will resume” and **replace** with the
11 words, “the deficiencies of the performance under review are considered mitigated and
12 thus the annual performance reviews that triggered Part II are exempt from this policy.”;
13 and it is

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15 **Resolved**, that *Faculty Manual* Chapter V§G6hii be amended to **strike** subsection (6); and it
16 is

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18 **Resolved**, that *Faculty Manual* Chapter V§G6hii be amended to **insert** subsection (5) with
19 the sentences, “The length of the remediation period shall not exceed one year. Exceptions
20 to this rule must be requested by the PTR committee or the faculty member under review
21 and approved by the Provost.”

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23 *This resolution will become effective upon approval by the Clemson University Executive*
24 *Vice President for Academic Affairs and Provost and its inclusion in the Faculty Manual.*

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26 ***Final Proposed Language:***

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28 Chapter V§G1. Overview

29 b. Although the focus of PTR is on the performance of the individual ~~since the individual's~~
30 ~~last tenure or post-tenure review~~ **during the period under review**, the overall contribution of
31 the individual faculty member to Clemson University should not be neglected.

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33 Chapter V§G2. Coverage of PTR¹

34 a. ~~PTR occurs every five years, and is coincident with the beginning of the next five-year~~
35 ~~cycle.~~

36 i. ~~The first five-year period begins at the time that tenure is granted.~~

37 ii. ~~Promotion during that period does not alter the schedule for review.~~

38 iii. PTRs are conducted during the fall semester ~~when one or more faculty members in~~
39 ~~a department or equivalent unit are scheduled for review.~~

40 iv. ~~Periods of sick leave, sabbatical leave, or leave without pay will be excluded from~~
41 ~~this five-year period.~~

42 v. ~~Faculty who give birth, father, or adopt a child during any five-year period may, at~~
43 ~~their request, receive a one-year extension of the PTR.~~

¹ Clemson University Faculty Manual (p. 55)

1 ~~(1) The request for an extension must come within two months of the birth or~~
2 ~~adoption.~~

3 ~~(2) The extension will automatically be granted unless the chair or dean can~~
4 ~~document sufficient reason for denial.~~

5 ~~vi. Extension of the Post-Tenure Review period of a faculty member for serious illness,~~
6 ~~family tragedy or other special circumstances may be granted with the approval of the~~
7 ~~department chair, dean and Provost.~~

8 ~~b. Review of tenured academic administrators is accomplished in accordance with~~
9 ~~CHAPTER VIII E. 4.~~

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11 Chapter V§G4. PTR Committee

12 a. A PTR committee will be constituted in accordance with departmental Post-Tenure
13 Review Guidelines whenever any faculty member is scheduled for regular
14 **comprehensive** review or in a period of PTR remediation.

15 b. Only tenured regular faculty members are eligible for membership on the PTR
16 committee.

17 c. The size of the committee may vary from one academic unit to another; however,
18 the committee must have a minimum of three members.

19 i. In cases in which the department does not have enough tenured regular faculty
20 members to constitute a PTR committee, the departmental Tenure, Promotion, and
21 Reappointment committee will elect regular faculty members from other
22 departments who are qualified to serve on the PTR committee.

23 d. Faculty members subject to Part II of PTR will be recused from participating in this
24 second stage process.

25 e. The PTR committee will elect its own chair.

26
27 Chapter V§G5. Part I, Post-Tenure Review²

28 a. **All tenured faculty undergo post-tenure annual performance reviews to be**
29 **conducted during the fall semester.**

30 **i. Post-tenure reviews of tenured academic administrators are accomplished in**
31 **accordance with CHAPTER VIII E. 4.**

32 b. **Tenured faculty receiving two substandard ratings on annual performance reviews**
33 **in the preceding five (5) years will undergo a comprehensive post-tenure review (PTR**
34 **Part II).** The PTR committee reviews the ratings received on the most recent available
35 series of five years of annual performance reviews, as specified in the “Best Practices
36 for Post-Tenure Review”. Merit salary increments are based on these annual
37 performance reviews, as is consistent with **APPENDIX D BEST PRACTICES FOR**
38 **POST-TENURE REVIEW.**

39 i. All tenured faculty members receiving no more than one (of five) annual
40 performance rating of “fair,” “marginal,” or “unsatisfactory” in Part I of the Post
41 Tenure Review process receive a Post-Tenure Review rating of “satisfactory.” These
42 faculty members are thereby exempt from Part II of Post-Tenure Review.

43 ii. All tenured faculty members receiving two or more annual

² Clemson University Faculty Manual (p. 56)

1 **Substandard ratings include** performance ratings of “fair,” “marginal,” or
2 “unsatisfactory” ~~will be reviewed under Part II of PTR.~~

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4 Chapter V§G6h. Part II, Post-Tenure Review³

5 ii. If both the PTR Committee and the Chair rate the candidate as unsatisfactory, the
6 candidate’s final rating shall be unsatisfactory.

7 (1) If the candidate’s final rating is unsatisfactory, the dean will forward all materials to
8 the Provost.

9 (2) Remediation must occur when individuals receive a rating of Unsatisfactory so there
10 is time to correct deficiencies detailed in the PTR reports.

11 (3) The chair in consultation with the PTR committee and the faculty member will
12 provide a list of specific goals and measurable outcomes the faculty member should
13 achieve ~~in each of the next three calendar years following the date of formal notification~~
14 ~~of the unsatisfactory outcome and~~ **during the remediation period.**

15 (4) The University will provide reasonable resources (as identified in the PTR reports
16 and as approved by the chair and the dean) to meet the deficiencies.

17 **(5) The length of the remediation period shall not exceed one year. Exceptions to this**
18 **rule must be requested by the PTR committee or the faculty member under review and**
19 **approved by the Provost.**

20 (6) The chair will meet at least twice annually **during the remediation period** with the
21 faculty member to review progress.

22 ~~(6) The faculty member will be reviewed each year by the PTR committee and the chair,~~
23 ~~both of whom shall supply written evaluations.~~

24 (7) At the end of the ~~three-year period~~ **remediation period**, another **comprehensive**
25 post-tenure review (Part II) will be conducted.

26 (8) If the outcome is again Unsatisfactory, the faculty member will be subject to
27 dismissal for unsatisfactory performance.

28 (a) Dismissal for Unsatisfactory Professional Performance, when recommended, will be
29 subject to the rules and regulations outlined in CHAPTER V H. 3.

30 (9) If the review is Satisfactory, ~~then the normal five-year annual performance review~~
31 ~~cycle will resume~~ **the deficiencies of the performance under review are considered**
32 **mitigated and thus the annual performance reviews that triggered Part II are exempt**
33 **from this policy.**

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³ Clemson University Faculty Manual (p. 57)

POLICY COMMITTEE REPORT

Standing Agenda Item 202214: College TPR Committees

The Policy Committee has considered this matter under the charge of general university policy review and faculty participation in university governance and submits this report for consideration by the Faculty Senate.

Background

President Clements directed the resolution of a conflict between the language in the *Faculty Manual* and the language in the *Constitution of the Faculty of Clemson University* regarding advisory committees. According to the *Faculty Manual* V§D3b: College-level TPR Procedures, “The dean may establish committees within the college to provide assistance and advice in such [TPR] reviews.” (p. 48). This language clearly states the dean can establish more than one committee for TPR purposes and does not mention college bylaws. The Constitution Art. III§2 states, “Where provided by college bylaws, collegiate peer review processes offer recommendations on appointment, re-appointment, tenure, and/or promotion in addition to the primary recommendations which emanate from the review process of the several academic departments.” (p. 20). This language does reference college bylaws.

Discussion and Findings

The Policy Committee discussed this issue and agreed that the wording in the *Faculty Manual* should be amended to resolve the conflict.

Recommendations

The recommendation of the committee is to replace the word “establish” in V§D3b of the *Faculty Manual* by the word “utilize” and insert the phrase “only when established by the college bylaws.”

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FACULTY SENATE RESOLUTION 202206

Policy Committee Approval: October 18, 2022

Faculty Senate Consideration: November 15, 2022

Topic: "College TPR Committees"

Whereas, Clemson University makes provision for faculty participation in planning, policymaking, and decision-making with regard to academic matters; and

Whereas, the University also provides for such participation in matters of faculty welfare and general university concern; and

Whereas, Policy Committee Report 202214 recommended that the *Faculty Manual* be amended to resolve a conflict with the language in the Constitution; and

Whereas, PCR202214 and its recommendations were accepted by the Faculty Senate on November 15, 2022; and

Whereas, amendments to the *Faculty Manual* must be made in order to effect the recommendations of the committee report; it is therefore

Resolved, that *Faculty Manual* Chapter V§E2e be amended to **strike** the word "establish" and **replace** with the word "utilize" and insert the words "only when established by the college bylaws" at the end of the sentence.

This resolution will become effective upon approval by the Clemson University Executive Vice President for Academic Affairs and Provost and its inclusion in the Faculty Manual.

Final Proposed Language

V§D3 College-level Procedures

- a. The dean reviews the complete TPR file, makes a separate recommendation on the "Request for Personnel Action", and writes a report which includes a rationale for supporting or opposing the recommendations of the peer committee and department chair.
- b. The dean may ~~establish~~ **utilize** committees within the college to provide assistance and advice in such reviews ***only when established by the college bylaws***. If the dean's recommendation differs from those of the TPR committee or the department chair or both, all three parties shall discuss the discrepancies prior to the dean informing the candidate of her/his recommendation.
- c. The dean shall ensure that the affected faculty member is promptly informed in writing of the results and rationale for the recommendation.
 - i. In cases of promotion consideration, the candidate may withdraw from further consideration at this point.

- 44 ii. The faculty member may elect to include a letter of response in the materials forwarded to
45 the Provost.
46 iii. The complete file is forwarded to the Provost.