

5. Post-Tenure Review

The policy was first adopted by the Faculty Senate in 1998 and implemented during the 1998-99 academic year. It was revised by the Senate in 2001 for 2002-03 implementation and in 2015 for 2015-16 implementation.

[Updated 11/03/2014]

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a. Introduction

Post-tenure review (PTR)¹ is a comprehensive, formal, periodic evaluation of cumulative faculty performance to ensure faculty development and to promote faculty vitality. The purpose of PTR is to support and encourage excellence among tenured faculty by recognizing and rewarding exemplary faculty performance; provide for a clear plan and timetable for improvement of faculty whose performance is judged to be below expectations; and for those whose performance remains below expectations, provide for the imposition of appropriate sanctions, which may, in the most serious cases, include a recommendation for discharge.

Just as an institution's policies governing the award of tenure must reflect the institution's mission, policies for PTR must also be guided by institutional mission, and the performance of each tenured faculty member must be evaluated in the context of the mission of the individual's college, school and/or department. While PTR is not a revalidation of the award of tenure, many characteristics of an institution's tenure policies remain relevant in judging the performance of tenured faculty. UNCW's Criteria for Reappointment, Promotion, and Award of Tenure ([Chapter IV.D.2](#)) states:

The primary concern of the university is teaching its students. Thus, teaching effectiveness is the primary criterion for reappointment, promotion, and tenure.

It follows that teaching effectiveness should be the primary evaluation area in the post-tenure review of a faculty member. The "Criteria" also states:

¹ PTR is in addition to an elaborate process of faculty evaluation, including annual performance reviews. Moreover, the Policies of Academic Freedom and Tenure states, "When circumstances warrant, an evaluation may be initiated by the department chair/school director, the appropriate dean, the provost and vice chancellor for Academic Affairs, or the chancellor."

It is essential also that the university faculty be composed of individuals with a variety of strengths. Heterogeneity among faculty in contributions to the university is crucial.... Fixed weightings to be used in determining the relative importance of these different areas should be avoided in making reappointment, tenure, and promotion decisions.

The most effective way to ensure that the importance of individual contributions is appropriately recognized, and to account for differences in the nature and mission of varied academic disciplines, is to base the post-tenure evaluation on peer review by departmental/school colleagues, and to have the department chair/school director determine the quality of faculty performance and, when necessary, to guide the creation and implementation of a development plan.

To effectively link the annual evaluation of faculty to PTR, the post-tenure review must originate at the department/school level. Care must be taken to focus on the new features of evaluation that PTR brings, and to avoid redundancy of evaluation. However, it is expected that the PTR will be consistent with annual performance evaluations for the specified review period. PTR provides an opportunity to identify sustained exemplary performance of faculty that may not be recognized over a period of only one year, and to provide appropriate recognition. PTR also provides a constructive mechanism to correct performance of faculty who do not meet expectations in the rare event that failure to meet expectations occurs. PTR should not be used to suggest ways that competent, conscientious faculty may merely improve their satisfactory performance—annual reviews already have that function.

For PTR, the department chair/school director must consult with a peer review committee in rendering his/her evaluation. To comply with UNC Policy and guidelines 400.3.3 and 400.3.3.1 [G] deans must provide an evaluative review in addition to the review conducted by the peer review committee and the department chair/school director.²

Ongoing support and training will be provided for all post-tenure review evaluators, including peer review committee members, department chairs/school directors, deans, and the University RTP Committee. The UNC General Administration will provide training modules for all PTR evaluators, and UNCW shall provide additional training on campus-specific policies and procedures. Post-tenure reviewers are expected to certify to their academic unit heads that they have reviewed these guidelines, completed all PTR training provided by the UNC General Administration and completed all UNCW PTR training.

Each year the provost shall establish deadlines for the completion of the PTR process and will certify to the UNC General Administration that the UNCW PTR policy and process complies with UNC policy and guidelines 400.3.3 and 400.3.3.1 [G] and that appropriate PTR training has occurred.

b. Faculty to be reviewed

PTR is required of all tenured faculty whose primary responsibilities (50% or more) are teaching

² Department Chairs are the administrative line officers for academic departments housed within the College of Arts and Sciences, the Watson College of Education and the Cameron School of Business. School Directors are the administrative line officers for the professional schools housed within the College of Health and Human Services.

and/or research and/or service. Tenured librarians shall be subject to PTR. For each chair/school director or other administrator within the College of Arts and Sciences, the College of Health and Human Services, the Watson College of Education and the Cameron School of Business, the dean shall determine whether that person meets the criteria for mandatory review.

c. Timetable

Faculty for whom PTR is required must undergo a review no later than the fifth academic year following the most recent of the following review events:

- i. award of tenure at UNCW
- ii. departmental chair/school director recommendation for promotion
- iii. prior post-tenure review
- iv. other equivalent comprehensive review of performance at UNCW
- v. return to faculty status following administrative service of two years or more

Exceptions shall be made in the following cases:

- i. A period when a faculty member is on leave from professional duties shall not be included as part of the five years between mandatory review events; in such cases, the maximum interval shall be extended accordingly.
- ii. A period when a faculty member has reassigned time shall be included as part of the five years between mandatory review events; however, a faculty member who is temporarily assigned to duties away from the Wilmington area during the period when a review is required shall undergo review during the academic year when duties in the area are resumed.
- iii. PTR is not required of a faculty member who has officially set an irrevocable retirement or resignation within the next 12 months.

A tenured faculty member may elect to undergo PTR during any academic year. No faculty member shall be compelled to undergo PTR as described in this policy earlier than as required by this timetable. At the beginning of each academic year, each dean shall provide a list of faculty required to be reviewed during that year.

d. Procedures

Performance shall be reviewed for the period since the prior review event or for the preceding five years, whichever period is less. At the beginning of the PTR cycle, faculty members will prepare, in consultation with their chair/school director, a brief written five-year plan or set of goals consistent with the expectations of the department/school. This plan can be modified annually by the faculty member in consultation with the department chair/school director as deemed appropriate.

A faculty member being reviewed shall provide a succinct written report, for the period being evaluated, on professional activities in teaching, research/artistic achievement, and service. Faculty members who have professional responsibilities or modified assignments that affect the balance of their duties between teaching, research, and service must note this in their report, and the PTR process at all stages must take this balance into account. Each department/school shall establish the format for the report, except that it must include (where applicable) courses taught, theses and dissertations directed, and all evaluations of teaching; publications, performances, and presentations; service activities; and all annual evaluations for the years under review.

PTR must include peer review of faculty professional performance. Each department/school shall establish a fair, unbiased procedure for peer review, which must include a peer evaluation by at least three tenured colleagues of the faculty member's record in teaching, research/artistic achievement, and service. The faculty member being reviewed shall not have the option of selecting members of the peer review committee.

The peer review committee shall present a summary recommendation in writing to the department chair/school director. The peer review committee recommendation is advisory to the department chair/school director. The department chair/school director will develop a written evaluative review. The evaluation by the department chair/school director shall state whether the faculty member's overall professional performance *exceeds expectations*, *meets expectations* or *does not meet expectations* and the major reasons for the determination.

The department chair/school director shall provide a copy of the evaluation to the faculty member and shall meet with the faculty member to discuss the evaluation. The faculty member has the option of attaching a written response to this evaluation. The department chair/school director shall forward the faculty member's PTR report, a list of the peer evaluators, a copy of the written evaluation, and the faculty member's written response, if any, to the appropriate dean.

The dean will conduct an evaluative review of these materials and provide the department chair/school director and the faculty member a written statement reporting the outcome of the review (*exceeds expectations*, *meets expectations* or *does not meet expectations*) and the major reasons for the determination. The faculty member has the option of attaching a written response and requesting a meeting with the dean to discuss the evaluation.

If the department chair/school director and dean each conclude that the faculty member's performance *meets or exceeds expectations*, the PTR process is complete. If the department chair/school director and dean agree that the faculty member's performance *does not meet expectations*, the PTR process is also complete, but the faculty member may appeal if the faculty member feels his or her rights were violated or that procedural irregularities cast doubt on the validity of the decision (see section "h" for appeal process).

If the evaluations of the department chair/school director and the dean differ from one another, and either provides an evaluation of *does not meet expectations*, the PTR process will proceed to the University RTP Committee for an evaluative review. The Chair of the University RTP committee will provide the Provost a written recommendation reporting the outcome of the committee's review (*exceeds expectations*, *meets expectations* or *does not meet expectations*). The committee's recommendation is advisory to the Provost. The Provost will render a final decision, in writing, to the faculty member, chair/school director, and dean. The Provost's decision completes the PTR process. The faculty member may appeal if the faculty member

feels his or her rights were violated or that procedural irregularities cast doubt on the validity of the decision (see section “h” for appeal process).

All documents that played a substantive role in the review, all evaluative reviews (i.e. non-advisory) and actions taken as a result of the review will be maintained in the faculty member’s personnel file. The dean will provide the Provost with a report, listing the names of faculty members reviewed during the academic year and a summary of the outcomes of those reviews.

e. Criteria

Annual evaluations for the period under review will substantially inform the PTR process; however, annual reviews should not be substituted for the “comprehensive, periodic, cumulative review” required by UNC Policy 400.3.3.

Each faculty member reviewed for post-tenure review shall be given an assessment that is in one of the following three categories: *exceeds expectations*, *meets expectations*, or *does not meet expectations*.

Criteria for *meeting expectations* are professional competence and conscientious discharge of duties in relation to the goals/plan established at the beginning of the review period, taking into account distribution of workload as assigned by the department chair/school director. Performance below these criteria *does not meet expectations*.

Criteria for *exceeds expectations* are sustained excellence in teaching, research/artistic achievement, and service; and professional performance that is substantially above expectations and that significantly exceeds the performance of most faculty in the unit and the university.

f. Outcomes

The department chair/school director, dean, and Provost (when applicable) shall be responsible for providing the faculty member under review with written feedback clarifying the reason for the assessment. Information regarding an assessment that falls into the category of *exceeds expectations* will be shared with relevant parties in regard to university rewards such as merit pay raises and faculty awards. Information regarding the assessment that falls into the category of *does not meet expectations*, whether that evaluation comes from the department chair/school director, dean, or Provost will include a description of the faculty member’s assigned duties and directional goals established. In the case of performance judged to *meet expectations*, the department chair/school director or dean shall forward to the faculty member a copy of the evaluation by the deadline set by the Provost.

Within ten working days of receipt of the evaluation or within ten working days following the denial of an appeal of the finding of *does not meet expectations*, the department chair/school director and faculty member shall meet and, in consultation, begin to create a development plan that is the product of mutual negotiation. The plan should respect academic freedom and professional self-direction and should be flexible enough to allow for alteration. The plan should represent both a commitment to improvement by the faculty member and to the support of that

improvement by the department chair/school director, dean and institution. Establishment of a development plan is not a disciplinary action; rather it is a mechanism for committing to specific development goals and strategies. The plan should be developed within one month after the initial meeting and shall include the following:

- i. specific strategies and steps designed to lead to improvement,
- ii. delineation of specific outcomes that constitute improvement,
- iii. resources to be committed, if any,
- iv. a specified timeline, not to exceed three years, in which the improvement is expected to occur,
- v. a statement regarding new allocation of responsibilities, if duties are modified as a result of an assessment
- vi. a statement of the process by which performance under the plan will be evaluated and feedback provided to the faculty member, including possible peer mentoring processes, and clear specification of who will conduct the evaluation. The evaluation must include at least semi-annual progress meetings with the department chair/school director, followed by a report to the dean.
- vii. a clear statement of consequences should the improvement not occur in the designated timeline.

The faculty member and the department chair/school director shall sign the development plan, and the department chair/school director shall forward a copy to the dean who must approve the plan and any resources to be committed.³

As noted in vi. above, progress toward achieving goals in the development plan will be reviewed in subsequent performance reviews by the department chair/school director, who will provide detailed feedback to the faculty member. These reviews will occur at least semiannually. A copy of this review will be provided to the dean. At the end of the time specified in the development plan, the department chair/school director will review the faculty member's performance and make one of the following recommendations: (1) the faculty member's performance has improved and no further action is necessary pending the next regularly scheduled PTR, (2) the faculty member's performance has improved but not to the expected level, requiring adjustments in the developmental plan and/or the faculty member's workload, or (3) the faculty member's performance continues to be below expectations, in which case the chair/school director may recommend to the dean the imposition of appropriate sanctions.

If the dean agrees with the department chair/school director recommendation that no further action is necessary, the review process stops pending the next regularly scheduled PTR. If the dean agrees with the recommendation for adjustments in the development plan and/or workload, the changes are implemented and the review stops pending the next regularly scheduled PTR. If the dean agrees with the department chair/school director recommendation

³ In the case of the Library, the plan shall be forwarded to the Provost or the Provost's designee.

for the imposition of serious sanctions, the dean forwards this recommendation to the Provost. Serious sanctions that may be imposed include demotion, salary reduction and recommendation for discharge. A faculty member is entitled to due process if such serious sanctions are recommended. If the dean disagrees with the department chair/school director recommendation, the department/school recommendation and the dean's recommendation are forwarded to the University RTP Committee and the Provost for review and resolution.

g. Due process

The Code states: "A faculty member who is the beneficiary of institutional guarantees of tenure shall enjoy protection against unjust and arbitrary application of disciplinary penalties. During the period of such guarantees, the faculty member may be discharged or suspended from employment or diminished in rank only for reasons of incompetence, neglect of duty, or misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty" ([VI: 603](#)). Due process and the right of appeal as specified in [The Code](#) and UNCW's Policies of Academic Freedom and Tenure ([Chapter IV.A](#)) shall be guaranteed. The outcome of evaluation should be confidential—that is, confined to the appropriate university persons or bodies and the faculty member being evaluated—and released only at the discretion or with the consent of the faculty member.

A faculty member may appeal a finding of *does not meet expectations*, a finding of *non-compliance with a development plan*, or the imposition of sanctions other than discharge, suspension from employment, or diminishment in rank to the Faculty Professional Relations Committee (FPRC). A faculty member may appeal the imposition of serious sanctions (discharge, suspension from employment, or diminishment in rank) to the Hearings Panel as specified in [Chapter VI](#) of The Code.

h. Appeals

A faculty member may appeal a finding of *does not meet expectations*, by letter to the chair of the Faculty Professional Relations Committee - FPRC ([Faculty Senate Article V.B.1](#)), within ten working days after the faculty member has received the written evaluation from the (1) department chair/school director, and dean, (2) or if applicable, the Provost. Faculty may also appeal a finding of non-compliance with a development plan using the above process.

The FPRC reviews the request of the faculty member in order to determine whether the decision may have been based upon any of the grounds stated to be impermissible. A finding of *does not meet expectations* or a finding of non-compliance with a development plan may not be based upon (1) the faculty member's exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution; (2) discrimination based upon the faculty member's personal characteristics, such as age, color, handicap, national origin, race, religion, sex, or sexual orientation; (3) personal malice; or (4) procedural irregularities that cast reasonable doubt upon the validity of the decision and which may include but are not limited to the following:

- i. a process not in compliance with the policies and procedures set forth in this document
- ii. a process not in compliance with the policies and procedures set forth in the departmental/school PTR policy

- iii. a process not in compliance with existing policies of faculty evaluation published in The Code or the UNCW Faculty Handbook
- iv. a finding of *does not meet expectations* that is inconsistent with the faculty member's annual evaluations for the period under review, unless reasons for the finding are both extraordinary and also clearly and reasonably articulated in writing
- v. a finding of non-compliance with a development plan that is inconsistent with the terms stated in the development plan.

Should the committee determine that the evaluation may have been based upon any of these impermissible grounds, it grants the faculty member a hearing and either sustains the appeal or else confirms the previous evaluation. The committee's decision is a recommendation to the Provost, whose decision is final.

i. Failure to Agree on a Development Plan

If a mutually acceptable plan is not reached within one month after the initial meeting, the currently existing mediation process of the Faculty Professional Relations Committee shall be utilized. If a mediated settlement cannot be achieved under the auspices of the FPRC, the FPRC shall advise adjustment by the dean⁴ as the committee considers appropriate and the dean⁵ shall act as arbitrator in the development of a plan. If, after arbitration, a faculty member refuses to formulate the development plan, the dean will refer the faculty to the Provost for final arbitration. Failure of the faculty member to participate in good faith toward the creation of the development plan may result in the imposition of sanctions up to and including dismissal.

j. Policy Review and Revision

UNCW's PTR policy was initially developed by a committee of faculty, adopted by the Faculty Senate in the spring of 1998, and approved by the Board of Trustees of UNCW and by the Board of Governors of the University of North Carolina. The first academic year of its implementation was 1998-99. *The present revision took place during the 2014-2015 Academic Year as a result of revision to UNC Policy 400.3.3 and 400.3.3.1 [G], June 20, 2014. The revision was crafted by a representative ad hoc Committee on Post Tenure Review and approved by Faculty Senate.*

Revisions in this PTR policy may be initiated at any time by action of the Faculty Senate. Non-editorial revisions require approval by both the Board of Trustees of UNCW and by the Board of Governors. Such revisions shall become effective in the academic year following their approval by the Board of Governors.

The policy was revised by the Faculty Senate in the spring 2015, with implementation during the 2015-16 academic year.

⁴ The Provost or the Provost's designee shall assume this role for the Library.

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