

To: UTK Faculty Senate Executive Committee
From: Joan M. Heminway (on behalf of the Faculty Affairs Committee)
Date: February 4, 2009

Re: Annual Performance Reviews and Retention Reviews –
Proposed Changes to the *UTK Faculty Handbook* and *Manual for Faculty Evaluation*

This memorandum explains proposed changes to the *UTK Faculty Handbook* and *Manual for Faculty Evaluation* relating to both (1) annual performance reviews for tenure-track and tenured faculty and (2) retention reviews for tenure-track faculty. These changes incorporate suggestions from the UTK Dean's Council, the Office of the Provost, and the faculty members serving on the Faculty Affairs Committee. Each has been discussed and vetted to some extent by the Faculty Affairs Committee and drafting currently is under way. Unfortunately, members of the Committee have not yet had adequate opportunity to review this memorandum; accordingly, I take any responsibility for inaccuracies.

As you will see, there are many interrelated changes. Since our objective is to propose these changes at the March Faculty Senate meeting, **I ask that you review this memorandum and get me any comments or suggestions relating to these proposed changes at or in advance of the Executive Committee meeting on Monday or, if that's not possible, in advance of the next meeting of the Faculty Affairs Committee on February 16th**. I understand that there may be limited time to discuss this at the Executive Committee meeting, so comments and suggestions in advance of the meeting would be especially helpful.

A. Changes Affecting both the Annual Performance Review Process and Retention Review Process

1. *Ensure that basic substantive descriptions of both processes are included in the Faculty Handbook and that the procedures regarding each are included in the Manual for Faculty Evaluation.* This mostly requires shifting some text back and forth between the two documents, but also involves a limited amount new drafting.
2. *For untenured UTK and UTSI faculty, coordinate the annual review and retention review processes so that tenure-track faculty members prepare and submit review materials once every year.* With both reviews occurring in the fall at UTK and UTSI, it makes more sense for faculty members on those campuses to complete and file Faculty Activity Reports over the summer months that cover the preceding academic year.
3. *At least at UTK and UTSI, provide for a single report form (i.e., Faculty Annual Evaluation Report) for each tenure-track and tenured faculty member that will include evaluation results for that faculty member and any required form of narrative or substitute, as well as, in the case of a tenure-track faculty member, the retention review results for that faculty member.* The revised, consolidated form will be included as an attachment to the *Manual for Faculty Evaluation*.

4. *In both the annual review and retention review processes, add express provisions (a) allowing for department heads to formally respond when the college dean disagrees with the department head's determinations and (b) providing that any such response (i) be disseminated to the faculty member and the dean and (ii) be included in the formal record of the review.* This seems like an approach that is more transparent and fair to both the faculty member and the involved administrators.

B. Changes Affecting the Annual Performance Review Process

1. *Conform references to this process in the Faculty Handbook and Manual for Faculty Evaluation so that they use consistent terminology.* I note that the UT Trustees' Policies Governing Academic Freedom, Responsibility, and Tenure (March 2006), *available at* <http://bot.tennessee.edu/policies-acad.html#evaluationoftenuredfaculty>, calls this activity an "Annual Performance-and-Planning Review." The *Manual* variously uses "annual evaluation" and "annual review." We chose the latter (the term used in the *Faculty Handbook*) and plan to make the Part consistent. (Note that the Policies refer to this process only in the context of tenured faculty.)
2. *Provide that each year, faculty are evaluated based on their performance during the prior three years.* This enables faculty members with long-term projects to more easily show progress that then can be credited and, under current metrics, awarded with merit pay, when it is made available. Although the UT Trustees' Policies Governing Academic Freedom, Responsibility, and Tenure (March 2006), *available at* <http://bot.tennessee.edu/policies-acad.html#evaluationoftenuredfaculty>, provide that the annual evaluation examines "the current fiscal/academic year's activities," the Office of the Provost and the Faculty Affairs Committee believe that this language in the Policies is not intended to be exclusive. The Vice Provost for Faculty Affairs is in contact with system administrators to confirm that our belief is correct.
3. *Clearly state that neither faculty nor administration is permitted to communicate about the substance of the faculty member's annual review except as part of the formal review process itself.* Some faculty members have learned that unit leaders have informally discussed their evaluation of a faculty member with, for example, a more senior administrator within the review system before review processes have been undertaken or fully completed. This compromises the fairness of the evaluation process and must not occur.
4. *Provide that faculty members must prepare and submit the Faculty External Compensation and Consulting Annual Application and Approval Form among the materials required to be supplied in connection with each annual review.* This form reports compensated outside activities engaged in by faculty. Currently, some units successfully capture this information and some do not, creating inequities. With this change, both faculty and unit leaders are responsible for the failure of a faculty member to complete and file this information on an annual basis and can be held accountable for a failure to do so.

5. *Allow tenured faculty members in good standing to submit abbreviated materials in connection with annual reviews.* For these purposes, a tenured faculty member is in good standing if he or she (a) received a rating in the previous annual review indicating that his or her performance meets or exceeds expectations for his or her rank and (b) is not under a Cumulative Performance Review.
6. *Permit unit leaders to attach the Faculty Activity Report of a faculty member in good standing (as defined in item B.5. above) in lieu of writing a separate narrative about the faculty member's performance for inclusion with the faculty member's Faculty Annual Evaluation Report, unless (i) the faculty member requests that the department head write a separate narrative in that year or (ii) it has been three years since the department head last wrote a narrative for that faculty member.* The Deans' Council requested a short-form process under these circumstances. The UT Trustees' Policies Governing Academic Freedom, Responsibility, and Tenure (March 2006), *available at* <http://bot.tennessee.edu/policies-acad.html#evaluationoftenuredfaculty>, provide that

[e]ach faculty member and his or her Department Head will engage in a formal annual Performance-and-Planning Review, examining the current fiscal/academic year's activities and planning what should occur during the coming fiscal/academic year. . . . A document summarizing the review-including an objective rating of the faculty member's performance, as listed below-must be signed by the faculty member (to acknowledge receipt of the review document) and the Department Head. The Head must send a copy to the Dean. The Dean must send copies of the documents or a list of names by category to the Chief Academic Officer for review and approval/disapproval.

The proposed short-form process does not appear to violate the letter or spirit of these provisions and relieves unit leaders of what we deem to be inconsequential reporting obligations.

Also, the Deans' Council and the Faculty Affairs Committee concur that a five-category annual review ranking system, with "meets expectations" as the middle ranking category, is preferable to the current four-category system in which "meets expectations" is the second-highest ranking category. This would allow for more refined judgments to be made about the performance of faculty and normalize the ranking scale around a defined midpoint. The UT Trustees' Policies Governing Academic Freedom, Responsibility, and Tenure (March 2006), *available at* <http://bot.tennessee.edu/policies-acad.html#evaluationoftenuredfaculty>, mandate the current four-category system, so we currently are unable to propose a change in this regard. However, Vice Provost for Faculty Affairs has gotten tentative approval from system administration to implement a pilot program for a five-category system at UTK, UTIA, and UTSI. Accordingly, we also will be asking for Faculty Senate approval of this pilot program for implementation in the 2009-2010 academic year, beginning with the fall 2009 review cycle at UTK (and if the Faculty Senate approves the related changes set forth in this memorandum, UTSI), assuming Faculty Senate and Board of Trustees approval this spring.

C. Changes Affecting the Retention Review Process

1. *Mandate a more substantive review of each faculty member in the year following the midpoint of their probationary period (for most faculty members, in their fourth year of service) that focuses specifically and comprehensively on the faculty member's ability to meet the requirements for tenure in the department, college, campus, and University.* Units will need to provide for specific procedures for this enhanced review in their bylaws, but this new provision in the *Manual for Faculty Evaluation* will call for the tenure-track faculty member to prepare, with the guidance and counsel of the Dean, a file on her or his cumulative performance that is, in substance, a tenure "pre-dossier," reflecting her or his degree of progress in satisfying the requirements for tenure in teaching, research / scholarship / creative activity, and service. This file will be completed in time for the faculty member's annual retention review. A faculty member with a probationary period of less than four years is exempt from this enhanced review process but may voluntarily request that the tenured faculty provide such a review in any one year during the probationary period.
2. *Clarify the meaning of the tenured faculty's vote on retention.* The Deans' Council and the Faculty Affairs Committee both are concerned that the purpose of the tenured faculty's vote on retention is unclear and that more clarity may enhance the informational value of the retention review for faculty members and the better delineate the nature of the tenured faculty's review process. Accordingly, the tenured faculty's vote in the years before any enhanced retention review referenced in item C.1. above shall be directed primarily (but not exclusively) to the tenure-track faculty member's ability to sustain a level of teaching, research / scholarship / creative activity, and service that comports with the unit's expectations for faculty members at the rank of the faculty member under review. Beginning in the year in which the tenure-track faculty member is the subject of the enhanced retention review process referenced in item C.1. above (or, for a faculty member who is exempt from the enhanced retention review process, in every year of his or her probationary period), the tenured faculty's vote on retention shall be directed primarily (and increasingly, in succeeding years) to the tenure-track faculty member's ability to meet the requirements for tenure in the department, college, campus, and University.