REPORT FOR THE UNIVERSITY SENATE

University Senate Committee: Faculty Personnel Committee

Brief History of Issue - why the issue is being considered: The Chair of the committee was approached by a faculty member concerning a clarification of the language used in the FASH concerning the posttenure review of the department chair. As the committee reviewed the current language, other issues arose.

Points Discussed by Committee:

- The April 14, 2009 motion by the University Senate allowing a faculty member on leave or with a temporary administrative re-assignment to suspend his/her membership in the DPC and its subcommittees is not reflected in the current FASH language.
- How many members are needed for a posttenure review subcommittee to organize? Why is this number different for the review of a department chair?
- Who performs a posttenure review of the department chair, when there are 2, 1 or no eligible faculty members from the department?
- What is the role of the department chair in the posttenure review process?

Pros of Recommendation:

- Reorganization revisions:
  - The strikeout makes the wording consistent with the approved changes to membership of the DPC and subcommittees as approved by the 2008-2009 senate allowing faculty on leave, sabbatical or with reassignment of duties to relinquish responsibilities on the DPC and subcommittees.
  - The change from three to two is in agreement with the first sentence of the paragraph.
- Charge to the Committee: The added phrasing and sentence clarifies the separation of the posttenure review from salary compression recommendations.
- Review of the Department Chair:
  - In the event that a single member of the department is eligible to serve on the posttenure review committee of the chair, that person, rather than an individual from outside the department will review the department chair. It is the feeling of the committee that a member of the department in question has a better working knowledge of the departmental evaluation plan than a faculty member from another department.
  - This resolves the discrepancy that currently allows a posttenure review committee of a departmental member who is not chair to consist of a single person, while the posttenure review committee of the chair must have three members.
  - There would be no conflict of interest in salary recommendations. Currently when the chair is undergoing posttenure review, the chair would make salary recommendations for others also undergoing review, while the senior most member of the review committee would make a salary recommendation for the
chair. In the proposed model, the most senior member of the review committee would make all posttenure salary recommendations, except in case when the senior member is the only person on the review committee. In this case, the Dean would make all related salary recommendations.

Cons of Recommendation:
- The Dean might serve the role of the department chair, which eliminates departmental input before recommendations are sent to the Dean.

Technology/Human Resource Impact:
- Adaptations to FASH must be completed. An informational email to department chairs and DPC chairs must be sent.

Committee Recommendation:
The Faculty Personnel Committee, by a vote of 6 for to 0 against, on March 3, 2010, recommends that the FASH, Chapter 5, pages 28-30 be amended as detailed in the motion that follows.
MOTION FOR THE UNIVERSITY SENATE

The Faculty Personnel Committee, by a vote of 6 for to 0 against, on March 3, 2010, recommends that the FASH, Chapter 5, pages 28-30 be amended as follows:

Post-Tenure Review Subcommittee of the Department Personnel Committee

MEMBERSHIP
Each post-tenure review subcommittee shall consist of members of the Department Personnel Committee that hold the same or higher rank as those being reviewed.

ORGANIZATION
Initially, and as necessary thereafter, the Department Chair shall call meetings of the appropriate tenured members of the department for the purpose of organizing the necessary post-tenure review subcommittees.
For all assistant professors scheduled for a post-tenure review, a post-tenure review subcommittee shall be formed from all remaining members of the DPC holding a rank of Assistant Professor or higher. For all associate professors scheduled for a post-tenure review, a post-tenure review subcommittee shall be formed from all remaining members of the DPC holding a rank of Associate Professor or higher. For all professors scheduled for a post-tenure review, a post-tenure review subcommittee shall be formed from all remaining members of the DPC holding the rank of Professor. In no case shall a member of the DPC serve on a posttenure review subcommittee during the same year in which he/she is also undergoing a post-tenure review.

In order to formally organize and perform a review, a post-tenure subcommittee must have two or more members. Each eligible faculty member has a responsibility to serve on all appropriate post-tenure review subcommittees. Moreover, there is no provision for resignation from those subcommittees. An individual must decline to participate in actions of the subcommittee when there is a real or perceived conflict of interest. If the failure of an individual faculty member to participate in the subcommittee's actions reduces the number of participating members to fewer than two, then for the purpose of those actions, the functional equivalent (see below) shall replace the committee.

FUNCTIONAL EQUIVALENT
If any of the post-tenure review subcommittees cannot be formed because of insufficient numbers of eligible members, then, unless the Department Evaluation Plan specifies other procedures for designating the functional equivalent of a Post-Tenure Review Subcommittee in such situations, the Department Chair in conjunction with the faculty eligible for membership on the appropriate post-tenure review subcommittee shall operate as the functional equivalent of the post-tenure review subcommittee.

The functional equivalent shall be treated as the post-tenure review subcommittee in all respects and must adhere to the normal policies and procedures (including meeting announcement procedures) that govern the operation of the post-tenure review subcommittee.
In those cases where the Department Chair is the sole member of the functional equivalent, the normal meeting announcement procedures do not apply.

**CHARGE TO THE COMMITTEE**
Each post-tenure review subcommittee shall be responsible for conducting a review of those faculty members who are scheduled for post-tenure reviews and who hold a rank no higher than that of any member of the subcommittee. Each review shall be both summative and formative in nature with the express purpose of both evaluating past performance and facilitating improvement in future performance. Each subcommittee shall develop a written evaluation for its assigned faculty members. For faculty under below the rank of Professor, the evaluation must include explicit discussion of the faculty members’ progress toward promotion to the next rank; subcommittee members at the same rank as the faculty member being reviewed shall be excluded from this specific discussion. For faculty at the rank of Professor, the evaluation must include explicit discussion of the faculty member’s growth and professional development. The written evaluation shall not contain any recommendations as to administrative action to be taken as a result of the review, *nor any salary recommendation.*

Following the post-tenure review, a faculty member may request the department chair to recommend a compression salary adjustment as outlined in the Comprehensive Salary Plan approved by the University Senate.

**PROCEDURES**
Each post-tenure review subcommittee shall give the faculty member at least 20 days advance written notice of the start of the post-tenure review process. This notice will inform the faculty member of his/her right to present to the committee written information related to the faculty member’s performance and of his/her right to request an opportunity to appear before the committee to explain the information presented and to provide input to focus the formative portion of the evaluation. At the time the reviewing subcommittee forwards its written evaluation to the Department Chair, written notice must be given to the faculty member indicating that the review has been completed and that the written evaluation has been submitted. This notice shall include a copy of the written report and shall inform the faculty member of his/her right to discuss the report with the Department Chair and of his/her right to submit to the Department Chair a written response to the report within 5 days of the notice. After reviewing the submitted materials, the Department Chair may attach an additional written response to the subcommittee report. The Department Chair shall then return the evaluation and any responses to the faculty member and acknowledge completion of the process to the Dean.

**POST-TENURE REVIEW OF THE DEPARTMENT CHAIR**
The post-tenure review of the Department Chair shall adhere to the normal policies and procedures that govern all post-tenure reviews except that the most senior member of the post-tenure review subcommittee shall fulfill those responsibilities normally associated with the Department Chair, *unless that person is the sole member of the committee, in which case the Dean will serve the role of department chair and the senior most member will constitute the review committee.* As with all post-tenure reviews, the evaluation of the Department Chair shall be conducted relative to the faculty performance criteria outlined in Department Evaluation Plan of the Chair’s department. In particular, the Department Chair is
to be evaluated against criteria for teaching, scholarship, service and advising. In those cases where there are no eligible faculty to serve on the post-tenure review subcommittee for the Department Chair, the Dean shall serve the role of department chair and shall, in consultation with the Department Chair, shall select three up to two tenured faculty at or above the rank of the Department Chair and from disciplines similar to that of the Department Chair to serve as the post-tenure review committee. This committee shall be explicitly instructed to limit their review to the policies outlined in the Department Evaluation Plan of the Chair’s department. The Dean shall appoint one member of the post-tenure review committee to assume the responsibilities normally delegated to the Department Chair in the post-tenure review process.

Implementation Date: Fall 2010

Signed: _______________________________________

Chair of the Committee

Send to: University Senate Office