

**NEW POLICIES RECOMMENDED BY THE COMMITTEE TO REVIEW
POLICIES ON PERFORMANCE EVALUATION OF FACULTY AND POST
TENURE REVIEW AND APPROVED BY PRESIDENT SIMMONS**

43. PERFORMANCE EVALUATION OF FACULTY.

Faculty members shall be evaluated annually by their department chair/library coordinator relative to their various professional duties and activities. Probationary faculty shall be evaluated annually also by peers as shall tenured faculty in units which select this option in lieu of a staggered, more comprehensive approach. (See Section 43.2.) Nothing in this section should be interpreted as abridging the university's right to take action as defined in Chapter II, Section 16 of the Lamar University *Faculty Handbook*, or the right of the faculty member to pursue existing mechanisms of due process.

43.1 GUIDELINES AND STANDARDS FOR PERFORMANCE EVALUATION OF FACULTY. Written guidelines for promotion and tenure, designed to provide faculty with general expectations of performance in teaching, research/scholarship/creative activity, and service shall be developed by the tenured faculty of each department and the library (or by an entire college). These guidelines and any modifications thereto must be approved by the faculty to which they apply, the department chair, dean, and provost, must be posted on unit web sites and distributed to new faculty, and must be reviewed and modified as appropriate at least every five years. These guidelines shall be designed to inform the annual evaluation process, which will be based upon either the establishment of and progress toward attainment of individual goals (required for probationary faculty) or the creation of standards of performance appropriate to each merit reward level (Section 43.3f). The guidelines for promotion and tenure, individual annual goals established, and the standards of performance appropriate to each merit reward level will be in keeping with the mission and goals of the university, college/library, and department. They are to be based on, but need not be limited to, the professional responsibilities of the faculty member in instruction, research and creative endeavors, and professional service to the discipline, university, and/or community. The guidelines, goals, and standards should allow for legitimate variation throughout a faculty member's career. Working collaboratively, each faculty member and his/her department chair/library coordinator annually shall establish relative weights for each area of evaluation, and the weights must be consistent with the minimum level of performance established in department goals and guidelines. In the process of approval of guidelines, goals, and standards of performance, the advice and comments of the faculty shall be given the utmost consideration. As with the guidelines for promotion and tenure, the performance standards shall be subject to periodic review and possible modification by the tenured faculty of each department/college at least every five years, or sooner if circumstances warrant. The over-arching goals of this process are to provide a fair and consistent mechanism for recognizing and rewarding faculty productivity and achievement compatible with department, college, and institutional missions; to provide probationary faculty with appropriate guidance and support; and to provide an effective and consistent way in which members of our community of scholars can communicate their accomplishments.

For department chairs/library coordinators, both position descriptions and either individual goals or standards of appropriate performance for each merit reward level as administrators shall be developed by the dean in cooperation with the chair/coordinator and forwarded to the provost for approval. If the latter approach is selected, the standards shall be subject to periodic review and possible modification at least every five years. A copy of the individual goals and/or standards shall be provided to every tenured and tenure-track faculty member by the department chair/library coordinator by September 1 of each year.

43.2 PEER REVIEW PROCESS. In the spring of the first, third, and fifth years of employment, and as part of the annual evaluation process, the progress toward tenure of each probationary faculty member will be evaluated by all tenured faculty in the department. (In large departments, faculty may elect to have smaller screening committees to conduct the peer review, but the entire tenured faculty must discuss and vote on the issue.) By no later than February 1 (or first working day thereafter) of each of those years, the probationary faculty member will submit for review to the chair of the department tenure committee either a summary of accomplishments since appointment as a tenure track faculty member at Lamar University in the mission areas of teaching, research/scholarship/creative activity, and service or copies of all past F2.08s (without the evaluative comments by chairs/deans). The tenured faculty will review this material and, in a meeting called for that purpose discuss the probationary faculty member's accomplishments. In years 3 and 5, following this discussion, each tenured faculty member will vote via secret ballot

that the probationary faculty member is making either “satisfactory progress toward tenure” or “unsatisfactory progress toward tenure.” The results of this vote, along with a brief rationale written by the chair of the tenure committee, will be given to the faculty member, chair, and dean. In year 1 there will be no vote, but a brief assessment of productivity, written by the chair of the tenure committee and informed by the committee’s discussion, will be provided to the probationary faculty member, chair, and dean. In the spring of the second and fourth years, the peer review will be guided by Section 15.3.9 of this *Handbook*. (Similarly for this process, in large departments faculty may elect to have smaller screening committees to conduct the peer review, but the entire tenured faculty must discuss and vote on the issue.)

In addition, based upon the 1997 action of the Texas Legislature (Chapter 1017, Paragraph 1) and the post tenure review process developed by the faculty of Lamar University, the performance of each tenured faculty member (to include chairs/coordinators) must be reviewed by peers annually or at least once every six years after the date the faculty member was granted tenure or received an academic promotion. The faculty of each department, in collaboration with the chair/coordinator, will develop an appropriate, written process to accomplish this task -- that is, either to conduct a comprehensive performance evaluation annually of all tenured faculty or to conduct a comprehensive performance evaluation of each tenured faculty member once during every six-year period -- and which results in a rating of “satisfactory performance” or “unsatisfactory performance.” The process must include the identification of a faculty member to tally votes and, in the case of a majority vote of “unsatisfactory progress,” to confer with the colleagues of the faculty member so evaluated and provide him/her with a brief, written summary of the rationale for the vote. The chair of the departmental tenure committee will tally the votes on the performance of the chair/coordinator, who must be evaluated by all tenured faculty in the department. The process must be approved initially by the dean and provost, and reviewed periodically. Non tenure-track faculty will not necessarily be subject to the peer review process as a part of their annual evaluation/review, though their productivity shall be evaluated annually by at least the department chair.

43.3 PROCEDURES FOR THE EVALUATION PROCESS.

- a) Annually between March and September, each department chair/library coordinator shall review college/library and unit goals with the full time faculty as a group. The specific date shall be determined by the needs of the unit.
- b) In February of each year, every faculty member shall complete the annual report (F2.08) that sets forth what he or she has contributed during the previous calendar year toward the accomplishment of the college's/library's and/or department's goals in three areas:
 - 1) Instruction;
 - 2) Research, Publication, and Creative Activities; and
 - 3) Professional Services to the Discipline, University, and/or Community.
- c) The department chair/library coordinator shall assess the faculty member's contributions to the college's/library's and department's goals based upon the F2.08 submitted by each faculty member as well as upon other factual information.
- d) The department chair/library coordinator also shall evaluate the extent to which the faculty member's accomplishments (Section b) above), recognition, and honors received enhance unit goals and the professional prestige and reputation of the department, and/or bring valuable knowledge, skills, or associations that benefit students or other faculty members.
- e) The department chair/library coordinator shall make written recommendations for improvements, if warranted, in each area of the report.
- f) For the purposes of both overall performance evaluation and salary administration, the department chair/library coordinator shall indicate *exemplary performance (highest merit)*, *high performance (high merit)*, *adequate performance (merit)*, *marginal performance (no merit)*, or *unsatisfactory performance (no raise)* for each faculty member. The chair's Composite Score will be calculated using the previously agreed upon workload distribution for the current year. (See Section IV of the F2.08). It is left to the faculty and chair of each department, subject to the approval of the dean, to determine whether the distribution percentages are to be the same for everyone or will vary from individual to individual. As stated in Appendix IV (Comments and Instructions) for the F2.08, planning pages may be revised at any time during the

evaluation period by simple agreement (in writing) between the faculty member and chair.

- g) No departmental, college, or university quotas shall be established for the purposes of performance evaluation.
- h) The department chair/library coordinator shall discuss with each faculty member the basis for the evaluative judgments and recommendations and provide to the faculty member a written summary of the evaluations, recommendations, and discussion. Also during this meeting, the department chair/library coordinator and the probationary faculty member (as well as tenured faculty in units which elect to do so) shall work collaboratively to establish his/her individual professional goals for the current calendar year.
- i) Faculty members may respond in writing to the department chair's/library coordinator's evaluations and recommendations. This response shall be included with the F2.08 when it is forwarded to the dean of the college/library .
- j) The department chair/library coordinator shall forward a copy of the completed evaluation, all materials considered in the evaluation, and any written response from the faculty member to the dean for review.
- k) The dean may choose to confer with the chair/library coordinator and complete a separate assessment in one or all evaluation categories. However, for the purpose of performance evaluation and assignment of merit reward level, the dean shall indicate a rating of *satisfactory* or *unsatisfactory* for each faculty member, provide appropriate annotations, and forward a copy to the faculty member and department chair/library coordinator.
- l) The faculty member may respond in writing to either comments the dean chooses to make or his/her overall performance rating. This response shall be forwarded with the completed evaluation to the provost for review.
- m) When a faculty member receives an overall *satisfactory* performance evaluation from the department chair/library coordinator and the dean, the evaluation process is concluded.
- n) A single overall *unsatisfactory* annual evaluation from the department chair/library coordinator or dean shall result in a consultation with the department chair/library coordinator and/or dean. If the consultation is with the dean, then the faculty member may request that the department chair/library coordinator be present for the consultation. A summary written by the senior administrator present shall be given to all parties involved in the consultation, and a copy signed by all parties shall be attached to the F2.08.

43.4 POST TENURE REVIEW.

- a) The post tenure review process is triggered when a tenured faculty member twice receives within any three year period two overall unsatisfactory annual performance ratings from the department chair/library coordinator and the dean. (For a department chair/library coordinator, the performance ratings will be made by the dean and the AVPAA.) Note: In those departments which elect to have peers conduct a comprehensive performance evaluation of each tenured faculty member at least once every six years after the date the faculty member was granted tenure or received an academic promotion – see the second paragraph of Section 43.2 for a description of the process and departmental/faculty responsibilities – the “triggered” approach described above does not apply. Rather, the result of an unsatisfactory rating initiates the post tenure review process described in the remainder of this section. It is the responsibility of the department chair/library coordinator to notify, in writing, the faculty member of the situation and of the two following options. (If the person to be notified is the chair/coordinator, it will be the dean who does so.) The faculty member must either initiate a professional development plan or request that the University Performance Evaluation Appeals Committee review the evaluations given by the department chair/library coordinator and dean. The decision must be given by the faculty member, in writing, to the department chair/library coordinator within ten working days of notification. The University Performance Evaluation Appeals Committee shall consist of one tenured faculty member elected from each college and the library. The committee

shall consider the unsatisfactory evaluations, statements from the faculty member, and other relevant materials and determine if the evaluations were made in an arbitrary or capricious manner. Within 20 working days of the receipt of the appeal, the committee shall submit its findings to the provost. The provost shall notify the faculty member, department chair/library coordinator, and dean of the final decision, which must be either that one (or both) of the overall unsatisfactory evaluations was made in an arbitrary or capricious manner and hence the post tenure review process has not been triggered, or that the professional development plan process has been initiated.

- b) At any point in the performance evaluation process, a faculty member may enter an appeal under university grievance procedures if the faculty member believes that the policies are being applied arbitrarily or capriciously.

43.4.1 PROFESSIONAL DEVELOPMENT PLAN. The purpose of the professional development process shall be to identify and place on record the deficiencies in a faculty member's performance and formulate a specific plan to address the deficiencies.

- a) The professional development plan begins with the department chair/library coordinator notifying the faculty member that he or she is subject to the professional development process, either when a faculty member chooses to pursue the faculty development plan option rather than appeal the overall unsatisfactory evaluations, or upon completion of the appeal process and the provost denies the appeal. The departmental chair/library coordinator shall then notify, in writing, the faculty member that he/she is subject to the professional development process and must initiate a professional development plan, and shall inform him/her of the procedure.

- b) Within five working days of notification that the professional development plan will be initiated, the faculty member must request that the development process be conducted either by the department chair/library coordinator or by a Development Committee consisting of three peers within the college – one selected by the faculty member, one selected by the department chair/library coordinator, and one selected by the tenured faculty of the department/library.

- c) The Development Committee or department chair/library coordinator shall consider the previous unsatisfactory evaluations of the faculty member and in collaboration with the faculty member, department chair/library coordinator (in the case of conduct by Development Committee), and dean shall recommend a specific development plan within sixty days of the faculty member's initiation of the process as described in b). The development plan shall specify the deficiencies that are being addressed and what criteria must be satisfied by the faculty member in order to remedy performance deficiencies (see f) below). The period covered by the development plan should generally be no more than two years. Exceptions to this maximum time period must be approved by the faculty member, department chair/library coordinator, dean, and provost.

- d) If the development plan has been designed by a Development Committee, it shall be sent to the department chair/library coordinator for his or her recommendations and approval. The department chair/library coordinator shall meet with the faculty member for final review and approval of the plan. If the plan is approved by (or has been designed by) the department chair/library coordinator and the faculty member, both parties must sign the plan and a copy shall be sent to the dean. If the department chair/library coordinator and faculty member do not agree, then the dean shall meet with the department chair/library coordinator and faculty member to review the development plan and make recommendations. If the faculty member does not agree with the recommendations of the dean, then the development plan is forwarded to the provost for a final hearing and decision. The final development plan should seek to benefit both the faculty member and the university.

- e) The faculty member shall not be eligible for merit pay increases or promotion during the period covered by the development plan. The performance evaluation process prescribed in Chapter II, section 43 of the Lamar University *Faculty Handbook* will be suspended during the period covered by the professional development plan.

- f) All professional development plans shall be formed to address specific situations and should be individualized. However, each professional development plan should include the following:

- 1) specific deficiencies to be addressed;
- 2) specific objectives needed to remedy the deficiencies;
- 3) a list of activities to be carried out to achieve the required outcomes of the professional development plan;
- 4) a schedule for completing the activities;
- 5) criteria that shall be used to assess progress; and
- 6) a plan for periodic documented assessment to be conducted at least every semester.

g) Assessment documentation for the development plan must include a statement of progress prepared by the faculty member and a formal written response by the department chair/library coordinator or the Development Committee.

h) The faculty member may request that the department chair/library coordinator or the Development Committee extend the schedule for completing the development plan during any of the periodic assessments. The number of such requests shall be limited to one, unless the development plan is changed by mutual consent of the faculty member and entity conducting the developmental process. In no case may the schedule for completing the plan be extended more than six months past the completion date established at the time the plan was created (see f) 4) above). Again, if the schedule is extended, the total period for the development plan must fall within the two-year window. (See c) above.)

i) The university shall provide reasonable support for the professional development plans. Resources earmarked for development plans should not be so great as to lessen or preclude the opportunity for professional activities by other faculty.

j) At the completion of the schedule stated in the plan, the department chair/library coordinator or Development Committee shall consult with the dean and make a final report to the faculty member. If the department chair/library coordinator or the Development Committee and the dean agree that the faculty member has successfully completed the development plan, then the faculty member shall be notified of the positive outcome and returned to the annual evaluation process prescribed in Chapter II, section 43 of the Lamar University *Faculty Handbook*. The faculty member shall then be eligible for merit pay increases and promotion.

k) If the department chair/library coordinator or Development Committee and dean determine that the faculty member has failed to meet the goals of the professional development plan, dismissal proceedings may be initiated under Chapter II, section 16 of the Lamar University *Faculty Handbook*.

l) Failure to adhere to any part of the professional development process shall be considered grounds for dismissal.

m) The burden of proof shall be on the university to demonstrate that a tenured faculty member should be dismissed.

At any point in the development process a faculty member may enter an appeal under university grievance procedures if the faculty member believes that the policies are being applied arbitrarily or capriciously.

A faculty member subject to termination on the basis of evaluations conducted under these performance evaluation and professional development policies shall receive specific written reasons for termination and have the opportunity for referral of the matter to a non-binding alternative dispute resolution process as described in Chapter 154, *Vernon's Annotated Revised Civil Statutes of the State of Texas*. The opportunity for non-binding alternative dispute resolution shall be available only after all internal appeal procedures are exhausted.

43.5 EVALUATION OF OTHER ADMINISTRATORS WHO HOLD TENURE. All individuals not covered by Chapter II, subsections 43.1 and 43.2 of the Lamar University *Faculty Handbook* who also hold tenured appointments shall be evaluated annually by their supervisor according to university policy (see Chapter II, section 44). This evaluation shall consider both administrative and faculty performance.

43.6 POLICY REVIEW. The policies on performance evaluation of faculty and professional development plans shall be given a comprehensive review for possible revision by a university committee on a regular basis, and at least every five years. The committee charged with reviewing this policy shall consist of:

- 1) one tenured faculty member from each college and the library, selected by a vote of all the tenured faculty in the college/library;
- 2) one representative selected by the Deans' Council;
- 3) the president of the Council of Instructional Departments or designated representative;
- 4) the president of the Faculty Senate or designated representative;
- 5) the president of the Student Government Association or designated representative;
- 6) the provost.

The provost shall ensure that the committee is properly charged and constituted and shall chair it.

43.7 FACULTY PERFORMANCE EVALUATION AND MERIT-BASED FACULTY SALARY INCREASES.

43.7.1 Criteria for Faculty Salary Increases and Notification of Faculty. Criteria considered for recommending merit-based faculty salary increases shall be those identified in Chapter II, subsections 43.1 and 43.3b). As indicated in Chapter II, subsection 43.3.c)-f), the department chair/library coordinator shall consider all accomplishments submitted on form F2.08 and indicate an evaluation score (from Level 1 = Unsatisfactory Performance to Level 5 = Exemplary Performance) for each of the three mission areas (Teaching and Instructional Activities; Research, Publication, Scholarship, and/or Creative Activities; and Professional Service to the Discipline, University, and/or Community). A composite score, based upon ratings in each mission area and established workload distribution for the evaluation year, will be calculated and will constitute the annual Department Evaluation/Merit Score: *Exemplary Performance and Highest Merit, High Performance and High Merit, Adequate Performance and Merit, Marginal Performance and No Merit, and Unsatisfactory Performance and No Raise* for each faculty member. The recommendation of the chair/coordinator shall be forwarded to the dean, who may make evaluative comments and shall indicate either *satisfactory* or *unsatisfactory* performance for each faculty member. The merit salary increase for each faculty member will be based solely upon the results of the chair/coordinator evaluation in the manner described above and, within an academic department/library, no faculty member evaluated as performing in an exemplary manner shall receive a salary increase (dollar amount or percentage, depending upon the method used in the unit) less than that recommended for any faculty member receiving a *high performance* evaluation, and so forth. After consideration of departmental recommendations, deans shall either endorse or not (the latter with written justification) the salary increases to the provost who shall grant approval within guidelines and funding established by the TSUS Board of Regents. Any deviation from this process (e.g., conducting annual evaluations and/or developing merit pay plans to be implemented at the college rather than at the department level; using a "per share" or "per point" allocation approach) must be approved by the appropriate faculty, chair, dean, and provost.

As soon as possible, the dean shall notify chairs/library coordinators of the salary increases recommended to the provost. It is the responsibility of the chair/library coordinator in a timely manner to inform each faculty member of: his/her recommended raise (with merit/equity distribution), merit or points/share group, the raise amount/percentage for each merit or share group, and the distribution of faculty (numbers only) among the various merit/share groups. As part of the annual meeting described in Chapter II, subsection 43.3.a, college/library and departmental expectations for faculty performance and merit-based salary increase recommendations (in general, not for individuals) shall be presented and discussed.

43.7.2 Appeals Process. A faculty member shall have the right to appeal the most recent merit-based salary increase recommendation. Appeal shall be made to the dean, in writing, within ten working days of notification of the salary increase recommendation. An appeal of the dean's response must be made, in writing, to the provost within ten working days of receipt. In this case, the provost shall convene the University Performance Evaluation/Merit Salary Increase Appeals Committee for review and recommendation regarding the appeal. The Committee must base its review and recommendations solely upon the materials submitted by the appellant and the

responses of the dean/director, and each such case must stand on its own merits. The decision of the provost must be rendered within ten working days of the receipt of the Committee's recommendation, and it is final.

NOTE: The University Performance Evaluation/Merit Salary Increase Appeals Committee will consist of : a dean who is elected by the members of the Academic Council of Deans and who will chair the committee; one department chair, elected by the membership of the Council of Instructional Departments; and one elected faculty member from each academic college and the library, and one faculty member-at-large. At the first meeting, in order to create staggered, 3-year terms, with one-third of the nine members being replaced each year, lots will be drawn so that the terms of the initial nine members are three for one year, three for two years, and three for three years. If the dean, chair, or one of the faculty members is directly involved in the case under review, then he/she must recuse him/herself during consideration of that appeal.

12/1/04