

Utah Tech University Policy

642: Post-Tenure Review



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** If any provision of this policy conflicts with a provision of the addendum, Policy 642a Addendum: HB 438 Post-Tenure Review, the provision in the addendum shall control, effective May 1, 2024.

I. Purpose

- 1.1 The review is intended to evaluate and facilitate continued faculty professional learning and growth by establishing review criteria for student learning and success, scholarly and creative activities, and service consistent with fulfillment of Utah Tech University (“the University”) mission and goals in compliance with relevant Board of Higher Education policies.

II. Scope

- 2.1 All tenured faculty and reviewers of candidates who submit a review under this policy.

III. Definitions

- 3.1 **Annual Faculty Activity Plan (AFAP):** The AFAP is a document developed by faculty in conjunction with academic leadership to describe the planned activities for the subsequent year in the areas of student learning and success, scholarly and creative activities, and service, and to establish a plan for professional growth. These activities should align with the Faculty Performance Standards (See University Policy Addendum 641a) and advance professional growth and learning. The AFAP should also include any unique responsibilities or expectations that were described in the published position announcement.
- 3.2 **Candidate:** A full-time employee with a faculty appointment who submits a portfolio for review under this policy.

- 3.3 **Day:** Within this policy, “day” refers to “business day.” A day is when the University is open for business, excluding weekends and holidays.
- 3.4 **Deadlines:** If a deadline included in this policy falls on a non-business day, the deadline will be changed to the next business day.
- 3.5 **Faculty:** For the purposes of this policy, faculty are full-time Tenure-Track Faculty, as defined in University Policy 631, who have already achieved tenure.
- 3.6 **Portfolio:** A faculty maintained electronic repository for all materials required for review.
- 3.7 **Post-Tenure:** Faculty members who have completed the probationary period and have been awarded tenure.
- 3.8 **Professional Improvement Plan:** A Professional Improvement Plan outlines the areas for improvement over the next academic year and is approved by the Provost/VP Academic Affairs (VPAA).
- 3.9 **Promotion/Rank Advancement:** Promotion in faculty rank is the acknowledgement by the institution of excellence in performance of student learning and success, scholarly and creative activities, and service as appropriate to the faculty member’s AFAP.
- 3.10 **Rank:** Academic ranks as outlined in University Policy 631.
- 3.11 **Review:** A faculty review is the process of peer and administrator examination of a faculty member’s portfolio for the purpose of appraising the faculty member’s performance in their duties and responsibilities as outlined in the faculty member’s AFAP, University Policy 633, and other applicable University policies.
- 3.12 **Tenure-Track Faculty:** Full-time faculty who are on the Tenure-Track as defined in University Policy 631.

IV. Policy

4.1 Serving as a full-time administrator

- 4.1.1 A post-tenure faculty member with rank in a University academic department who accepts appointment as a dean or other full-time administrative position retains faculty status, rank, and tenure during their administrative appointment, but is not considered to have a current faculty appointment. Years served as a dean or other full-time administrative position can accrue toward rank

advancement as applicable, although application for such advancement may not be submitted while the individual is serving in a non-faculty appointment. Post-tenure reviews are not required while a faculty member serves as a dean or in another full-time administrative position. (See University Policies 641 and 661)

4.2 Review Criteria

- 4.2.1 Faculty members who have received tenure are expected to demonstrate the same strong commitment to serve students, colleagues, the department, the University, and the greater community throughout their careers at the University. Post-Tenure Review criteria are the same as for other reviews as outlined in Policy 641.
- 4.2.2 Post-Tenure Review focuses on the faculty member's accomplishments since their last review.

4.3 Faculty Portfolios

- 4.3.1 The University requires that all documentation regarding and in support of a candidate's review portfolio be housed in the specified electronic system. All full-time employees with faculty appointments are required to maintain a current portfolio in the electronic portfolio system.
- 4.3.2 The following must be included in the portfolio before the next-level review can be completed, and these documents should permanently remain in the portfolio. In addition, any formal, written response to the above listed documents submitted by the candidate must be included in the portfolio prior to the next level review.

Level of Review	Documents Required Before Review
Dean's Review	<ul style="list-style-type: none"> - Letter from the candidate to the chair of University Post-Tenure Review Committee.
University Post-Tenure Review Committee	<ul style="list-style-type: none"> - Dean's Letter to the University Post-Tenure Review Committee.
Provost's Review	<ol style="list-style-type: none"> 1. Letter and vote count from University Post-Tenure Review Committee to Provost/VP Academic Affairs 2. Vote from current full professors or higher (for promotion to University Professor).

4.3.3 Any member of the Post-Tenure Review Committee has the right to access the electronic portfolio of a faculty member who has submitted an application to that committee and to participate in the review, regardless of rank or discipline. All faculty members eligible to participate in the review should have access to relevant portfolios through their office computers. Deans and the Provost/VP Academic Affairs or their designee(s) have the right to review the electronic portfolio of any faculty member under their jurisdiction.

4.4 Post-Tenure Review Committee

4.4.1 Confidentiality: For the purposes of this policy, confidential information is that which is not generally known to the public. The confidentiality of information related to the processes outlined in this policy is to be respected. The confidentiality extends indefinitely, not just during the review period. Members of all committees and others with access to this information participate in the process with the understanding that all matters related to faculty reviews, including deliberations and voting results, must remain confidential. The rule of confidentiality does not expire. Even after a review is completed, committee members are prohibited from discussing any actions, deliberations, and recommendations of the committee, or any information about candidates derived from the review process. Individuals who violate this confidentiality will be considered in violation of University policy and may be subject to disciplinary action.

4.4.1.1 Candidates under review are discouraged from directly approaching committee members concerning disposition of

their review beyond any supervisor and/or mentor relationship previously established between two members of the faculty. This does not preclude social, business, and casual interaction where the candidate's application and the process are not discussed. This does not prohibit a committee chair or administrator from requesting more information from a candidate when needed.

- 4.4.1.2 Notwithstanding the foregoing, the University and all University employees must comply with all public records laws including the Utah Government Records Access and Management Act (GRAMA). (See University Policy 152)
- 4.4.2 The Post-Tenure Review Committee will perform continuing reviews of the portfolios of post-tenure faculty members according to a regular schedule.
- 4.4.3 The Post-Tenure Review Committee will be comprised of at least five tenured faculty of full rank (Professor, Academic Librarian, or higher) with appropriate representation from various academic areas; ideally, one member from each college if available and no more than two from any one college.
 - 4.4.3.1 The committee members will be elected for three-year terms on a staggered basis.
- 4.4.4 The Faculty Senate is responsible for holding the elections to populate the Post-Tenure Review Committee. All full-time, Tenure-Track faculty are eligible to vote, regardless of discipline or rank. If, at the end of an academic year (June 30), the Faculty Senate has not fully populated the Post-Tenure Review Committee, the Provost/VP Academic Affairs and the deans will appoint an appropriate number of eligible representative faculty members to serve one-year terms.
- 4.4.5 No faculty member scheduled for a review by the Post-Tenure Review Committee may serve on the committee or as chair during that year. The members and chair of the Post-Tenure Review Committee may not submit a review to the committee during their terms of office.
- 4.4.6 Department chairs and deans are not eligible to chair or be members of the Post-Tenure Review Committee during their appointments.
- 4.4.7 The Provost/VP Academic Affairs and the Faculty Senate president will jointly designate a tenured full professor to act as a chair for a

three-year period with voting rights in the event of a tie. Such appointment must be made by May 1 in the last year of the previous chair's term. An individual may not immediately succeed themselves in the position of chair, although they may serve as a member of the committee prior to or immediately after serving as chair.

- 4.4.8 No supervisor of a faculty member under review may participate in the committee's review, other than in the form of administrative evaluations included in the faculty member's portfolio and letters written at the faculty member's request. Department chairs, deans, and other University administrators may not attend meetings or participate in the deliberations of the Post-Tenure Review Committee except by specific invitation from the committee.

4.5 Types of Reviews

- 4.5.1 The University requires all faculty members to undergo a set of regular and rigorous reviews throughout their careers. Faculty members must maintain a current portfolio in the required electronic format at all times and must submit it for review according to the following schedule:

4.5.2 Post-Tenure Review

- 4.5.2.1 All tenured faculty members who have not undergone a successful Promotion, Tenure, or Post-Tenure Review during the previous five years will undergo a Post-Tenure Review during the fall semester of the sixth year.
 - 4.5.2.1.1 Candidates who choose to apply for promotion rather than their first Post-Tenure Review, and are not approved for promotion, are required to submit a Post-Tenure Review the following academic year.
- 4.5.2.2 A Letter of Intent signaling a faculty member's intent to submit a portfolio for Post-Tenure Review must be submitted to the chair of the University Post-Tenure Review Committee by September 1 in the year of the required review.
- 4.5.2.3 The Post-Tenure Review is mandatory. A Tenure-Track Faculty who fails to submit a required letter and/or make a complete and current portfolio available for review according to the schedule listed in this policy will be considered in violation of this policy and subject to corrective or disciplinary action.

4.5.3 Promotion Reviews

- 4.5.3.1 Faculty members eligible for rank advancement to University Professor may apply by undergoing a Promotion review simultaneously with the second Post-Tenure Review since attaining the rank of Professor. New rank, if approved, goes into effect at the beginning of the following academic year (July 1).

V. References

- 5.1 University Policy 631: Faculty Categories
- 5.2 University Policy 633: Faculty Rights and Responsibilities
- 5.3 University Policy 641: Faculty Retention, Tenure, Promotion
- 5.4 University Policy 661: Academic Structure

VI. Procedures

- 6.1 Post-Tenure Reviews are mandatory, and portfolios must be submitted according to the established schedule. All tenured faculty who have not undergone a successful Promotion or Post-Tenure Review during the previous five years will undergo a Post-Tenure Review during the fall semester of the sixth year. The basic standard for appraisal will be the competent and conscientious discharge of duties as specified by the faculty member's AFAP, as well as established departmental, college, and/or University standards and policies.
 - 6.1.1 Incorporating and building on regular student, supervisor, peer, and self-evaluations, the Post-Tenure Review process is intended to assess the expectation that faculty members must demonstrate continued achievement of professional goals, ongoing professional development, and maximum contributions to the University, particularly in the areas of student learning and success, scholarly and creative activity, and service.
 - 6.1.2 Reviews can be delayed for a year for various reasons, but such delays require the agreement of the faculty member, the faculty member's department chair and dean, and the Provost/VP Academic Affairs.
 - 6.1.3 The Post-Tenure Review process is to evaluate progressive learning and growth and does not jeopardize the faculty member under review. The standard for dismissal of a tenured faculty member

remains just cause as outlined in University Policy 371.

- 6.1.3.1 While evidence used in the Post-Tenure Review might also be used in construction of cause for termination, in no case does the institutional burden of proving cause for dismissal shift to the faculty member having to show cause for retention. The academic freedom of the faculty member being reviewed will be protected throughout the review process.

6.2 Faculty Letter of Intent and Dean's Letter

- 6.2.1 The faculty member under review will submit a letter of intent to the chair of the University Post-Tenure Review Committee by September 1 in the sixth year following the previous review, or sooner if required by a Faculty Development Plan. The letter must include a request that the faculty member's dean and the University Post-Tenure Review Committee review the faculty member's portfolio.
- 6.2.2 On or before September 1 the faculty member will provide access to their electronic portfolio to their dean or the Dean's designee.
- 6.2.3 On or before October 1, the faculty member's Dean/designee will send a written Dean's Letter to the University Post-Tenure Review Committee, regarding the faculty member's progress. A copy of this report must be concomitantly sent to the faculty member, who is responsible for ensuring that a copy is added to their electronic portfolio by October 1. A copy will also be provided to the faculty member's department chair.
 - 6.2.3.1 The faculty member has a right to respond to the Dean's Letter and must include this response in their portfolio by October 8.

6.3 University Post-Tenure Review Committee

- 6.3.1 No later than December 1, the University Post-Tenure Review Committee will respond with a written report to the faculty member being reviewed, to the faculty member's department chair and dean, and to the Provost/VP Academic Affairs.
 - 6.3.1.1 The written report will include the conclusion of the committee as to whether the faculty member being reviewed is meeting or exceeding standards and therefore is recommended for a favorable review, or whether there are

substantive concerns or deficiencies which the faculty member must correct and therefore is recommended for an unfavorable review, as well as the bases for such conclusions.

6.3.1.2 The committee should note specific areas of notable success and must note any specific areas needing improvement, may provide suggestions as to means and benchmarks for improvement, and, if the faculty member did not receive a favorable review, the required time schedule for future reviews.

6.3.2 At this time, the candidate will have the opportunity, but not the obligation, to add a written statement to their formal portfolio in response to the report of the University Post-Tenure Review Committee evaluation. Written notice of this option will be included with the copy of the report that is sent to the candidate from the Chair of the Post Tenure Review Committee. If the candidate chooses to add such a statement to the portfolio, that statement must be submitted to the Provost/VP Academic Affairs by December 15. If the candidate submits a written statement to the Provost/VP Academic Affairs by that date, the candidate's statement will be considered in the review as it progresses. The candidate must also include the written statement in their portfolio.

6.4 Provost/VP Academic Affairs

6.4.1 Not later than February 15, the Provost/VP Academic Affairs will prepare a final recommendation to the President with respect to the post-probation reviews of faculty, including their recommendation regarding any salary increase, and a copy will be sent to the faculty member and the faculty member's department chair and dean.

6.4.1.1 If the review is unfavorable, the faculty member, working with the faculty member's department chair and dean, will develop a written Professional Improvement Plan, addressing strategies and actions for correcting noted deficiencies during the next year.

6.4.1.1.1 The Professional Improvement Plan must be submitted to the Provost/VP Academic Affairs by March 15 and must be approved not later than April 15.

6.4.1.1.2 If the requirements of the Professional Improvement Plan are not achieved, the faculty member is in violation of University Policy 633 and may be subject to

disciplinary actions up to and including termination.

- 6.4.1.1.3 In no case will a Professional Improvement Plan limit the institution's ability to implement the Faculty Termination policy.

6.5 Appeals Process

- 6.5.1 A faculty member may appeal a negative recommendation regarding a Post-Tenure Review from the Provost/VP Academic Affairs. The appeal must be submitted in writing to the chair of the Faculty Hearing Board within 30 days of the notification being sent.
- 6.5.2 Appeals can be made on one or more of the following bases.
 - 6.5.2.1 Material procedural irregularities which were likely to have substantially and adversely affected the recommendation at any level.
 - 6.5.2.2 Bias, discrimination, or illegal employment practices in violation of University policy, including University Policy 633, or state or federal law.
- 6.5.3 The composition and procedures of the Faculty Hearing Board are outlined in University Policy 640d.
- 6.5.4 The Faculty Hearing Board will review the portfolio and any other documentation submitted, conduct hearings as it deems appropriate, and make a recommendation to the University President either to uphold the previous decision or request reconsideration beginning at the level of the Dean, the University Post Tenure Review Committee, or the Provost/VP Academic Affairs.
- 6.5.5 If the appeal is denied and the previous decision upheld, the original decision not providing a positive post-probation review will be final.

VII. Addenda – N/A

7.1 Policy 642a: Addendum: HB 438 Post-Tenure Review

Policy Owner: Provost and Vice President of Academic Affairs
Policy Steward: Faculty Senate

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