May 29, 2012

William Powers, Jr.
President
The University of Texas at Austin
MAI 400
Campus Mail Code: G3400

Dear President Powers:

I have reviewed the “University of Texas at Austin Guidelines for Implementing the Rules And Regulations of the Board of Regents’ Rule 31102: Evaluation of Tenured Faculty, Faculty Council Approved 4/23/12,” (D 9686-9688), which was approved by the Faculty Council at its meeting on April 23, 2012. I have no objection to this proposal and recommend it be approved and forwarded to the UT System for final approval.

Please let me know if you have any questions or if I can provide further information.

Sincerely,

Steven W. Leslie
Executive Vice President and Provost

SWL/ars

xc: Charles A. Roeckle, Deputy to the President
    Gretchen Ritter, Vice Provost for Undergraduate Education and Faculty Governance
    Sue Grenirger, Secretary of the General Faculty and Faculty Council
    Debbie Roberts, Executive Assistant, Office of the General Faculty
May 14, 2012

Dr. Steven Leslie
Executive Vice President and Provost
MAI 201 (G1000)

Mrs. Patricia Ohlendorf
Vice President for Legal Affairs
FAC 438 (G4800)

Dear Steve and Patti:

The Faculty Council has submitted to President Powers the enclosed “University of Texas at Austin Guidelines for Implementing the Rules And Regulations of the Board of Regents' Rule 31102: Evaluation of Tenured Faculty, Faculty Council Approved 4/23/12,” Documents of the General Faculty 9686-9688. This legislation was approved by the Faculty Council at its meeting on April 23, 2012. Prior to making his decision, the president would like to receive from each of you a recommendation regarding this legislation. If you have any questions, please do not hesitate to contact me.

Thanking you for your help, I remain

Sincerely yours,

Charles A. Roeckle
Deputy to the President

CAR/am

Enclosure

cc: President William Powers, Jr.
Dr. Sue Greninger, Secretary of the General Faculty and Faculty Council
Ms. Debbie Roberts, Executive Assistant, Office of the General Faculty
Professor Alan Friedman (English), on behalf of the Faculty Council Executive Committee and the Faculty Council, submits the following guidelines for implementing the Rules and Regulations of the Board of Regents’ Rule 31102: Evaluation of Tenured Faculty, which approved by the Faculty Council at its meeting on April 23, 2012. The Secretary has classified this as general legislation. Final approval resides with UT System.

Sue Alexander Greninger, Secretary
General Faculty and the Faculty Council

Posted on the Faculty Council website (http://www.utexas.edu/faculty/council/) on April 23, 2012.
The following elements should be included in the University policy and associated guidelines on the evaluation of tenured faculty:

A. Annual and Comprehensive Faculty Reviews:
UT Austin is a constitutionally mandated University of the First Class recognized nationally and internationally for the outstanding quality of its faculty. The faculty are thoroughly vetted when they are hired, retained, promoted, and tenured. Therefore, it is to be expected that the vast majority of faculty will be found to meet or exceed expectations as a result of annual and comprehensive reviews.

B. The Importance of Tenure:
The University affirms the time-honored practice of tenure for university faculty as an important protection of free inquiry, open intellectual and scientific debate, and unfettered criticism of the accepted body of knowledge. Academic institutions have a special need for practices that protect freedom of expression, since the core of the academic enterprise involves a continual reexamination of ideas.

C. The Positive Function of Post-Tenure Review:
Periodic evaluation is intended to enhance and protect, not diminish, the important guarantees of tenure and academic freedom. The purpose of periodic evaluation is to provide guidance for continuing and meaningful faculty development; to assist faculty to enhance professional skills and goals; to refocus academic and professional efforts, when appropriate; and to assure that faculty members are meeting their responsibilities to the University and the State of Texas.

D. Institutional Policies:
Nothing in the policy or related evaluation guidelines shall be interpreted or applied to infringe on the tenure system, academic freedom, due process, or other protected rights nor to establish new term-tenure systems or to require faculty to reestablish their credentials for tenure.

E. Annual Reviews
All tenured faculty members shall undergo Annual Reviews. Annual reviews are not comprehensive periodic evaluations and should focus on individual merit relative to assigned responsibilities.

1. Evaluation of each faculty member’s performance shall be determined and overseen by the departmental budget council, extended budget council, or executive committee.

2. The evaluation shall include review of the faculty member’s professional responsibilities in teaching, research, service. Institutional policies shall detail the criteria and factors to be evaluated.

3. Each faculty member being reviewed shall be placed in one of the following categories: a. exceeds expectations; b. meets expectations; c. does not meet expectations; or d. unsatisfactory. These ratings shall be an aggregate based on overall judgment of the faculty member’s activities.

4. The department chair (or dean in a non-departmentalized college/school) shall communicate the final evaluation in writing to the faculty member and to appropriate members of the administration. The final evaluation will occur at the departmental level and will reflect the judgment of both the evaluation committee and the chair. The faculty member may prepare a responsive statement, which will be included with the permanent record of evaluation.

5. Faculty members whose performance indicates they would benefit from developmental assistance may be referred to available institutional support (e.g., teaching effectiveness assistance, counseling, or mentoring in research issues/service expectations).

6. A faculty member whose overall performance is deemed unsatisfactory shall be placed on a mutually established development plan and the department shall monitor progress on the plan during the following year. If performance is unsatisfactory for two consecutive years, the individual may be subject to a comprehensive review or disciplinary action, if appropriate. In either case, individuals shall have access to procedures for appeals – to the evaluation committee or the unit chair and to the Faculty Grievance Committee or the Committee of Counsel on Academic Freedom, as the individual adjudges to be appropriate.

F. Comprehensive Periodic Evaluations
All tenured faculty shall undergo a comprehensive evaluation every six years. The evaluation shall focus on individual merit relative to assigned responsibilities.
(1) Each faculty member being reviewed shall be placed in one of the following categories: a. exceeds expectations; b. meets expectations; c. does not meet expectations; or d. unsatisfactory. These ratings shall be an aggregate based on overall judgment of the faculty member’s activities.

(2) The evaluation shall be conducted by a peer committee of tenured faculty and overseen by the departmental budget council, extended budget council, or executive committee. Before submitting its final evaluation the departmental faculty evaluation committee shall provide each faculty member the opportunity to meet with the committee, submit additional material, and comment on the committee’s findings. Written comments submitted by the faculty member will be included with the final evaluation and become part of the permanent record.

(3) The evaluation committee shall communicate its evaluation in writing to the faculty member and to appropriate members of the administration. The final evaluation must reflect consideration of the departmental evaluation committee’s determination.

(4) Faculty members whose performance indicates they would benefit from developmental assistance may be referred to available institutional support (e.g., teaching effectiveness assistance, counseling, or mentoring in research issues/service expectations).

(5) For individuals whose performance is deemed unsatisfactory, the dean, in consultation with the department, faculty member, and Provost, shall establish a faculty development support and monitoring plan. Individuals shall have access to procedures for appeals.

G. Termination or Other Appropriate Disciplinary Action
For tenured faculty members for whom gross incompetence, neglect of duty, or other good cause is found, appropriate disciplinary action, up to and including a review to determine if good cause exists for termination, shall be considered.

H. Monitoring
In its role as overseer of the faculty evaluation process, the Committee of Counsel on Academic Freedom and Responsibility shall monitor and report on the results annually, shall receive and advise on such problems or issues referred to it by any member of the faculty, the provost, the president, the chancellor, or the Board of Regents, and shall make whatever recommendations it considers appropriate to improve the process.

Key principles:
Strongly affirms the quality of UT faculty, the value of tenure, and the positive function of PTR;

the review and evaluative process will be determined and overseen by departmental faculty personnel committees or smaller groups determined by them;

individual faculty have the right to provide input during the process, to receive institutional support for improvement, to invoke standard appeal procedures, to meet with the review committee, and to submit additional material;

safeguards to protect due process and academic freedom are strongly affirmed;

chairs and deans may not override or ignore committee evaluations.