November 3, 2016

To: Dean Van Galen, Chancellor
116 North Hall
University of Wisconsin-River Falls

From: Mialisa Moline, Chair
Faculty Senate
University of Wisconsin-River Falls

Re: UWRF Faculty Senate Motion 2016-17/51

The following motion was approved with 13 in favor, 5 opposed, and 2 abstentions by the Faculty Senate on November 2, 2016:

A motion from Faculty Welfare and Personnel Policies Committee (Neil Krauss, Chair), which forwards the following unanimously approved motion: "Shall the Faculty Welfare and Personnel Policies Committee pass the new UWRF Post-Tenure Policy as is and send it to the Faculty Senate?" AND a motion from Termination Committee (Jim Graham, unofficial Chair), which forwards the unanimously approved motion: "The committee has received, reviewed and is forwarding to the Faculty Senate, as required, the Post Tenure Review Draft Policy with the following concerns: The Termination Committee finds it regrettable that:

- There is no appeal process
- UW System has precluded mention of the Family Medical Leave Act within the Post Tenure Review policy
- Prior to Post Tenure Review, limited assistance for faculty is provided by this campus, such as in the form of an ombudsman"

to approve the attached revisions to Chapter IV, 4.5 Periodic Review-Faculty Personnel Rules, Chapter IV, 4.5.1 Post-tenure Review of Professional Activities of Faculty, Chapter IV, 4.5.2 Conducting the Review, and Chapter IV, 4.5.3 Challenging the Review (see attached).
Disapproved

Dean Van Galen, Chancellor

Nov. 17, 2016

Date
4.5 Periodic Review - Faculty Personnel Rules

4.5.1 Post-tenure Review of Professional Activities of Faculty

At least once every five years, the professional activities of tenured faculty will be reviewed to inform each faculty member of his or her performance. The review may be conducted simultaneously with merit review or with promotion review. For the purpose of this review, the criteria used are those found in the Faculty and Staff Handbook under Section 4.3.2.1c and the appropriate department's statement applying these criteria to the department mission, such statement to be on file in the Office of the Provost and Vice Chancellor for Academic Affairs.

4.5.2 Conducting the Review

The academic unit will determine whether a committee of its tenured faculty or the chair will conduct the review. The reviewer(s) shall:

a. Review the teaching portfolio, the personal reflective statement (see Section 4.3.2.3 above) and other pertinent data submitted by the faculty member. The faculty member has primary responsibility for assembling the data for review. The faculty member will include an inventory of the data submitted, and the chair will verify the inventory contents. The faculty member is responsible for promptly submitting the information for his or her review. The reviewer(s) will prepare a summary of their findings.

b. Discuss with the faculty member his or her performance in continuing to meet the criteria under Section 4.3.2.1c

Following this discussion, the reviewer(s) will prepare a final summary of findings and recommendations which will be signed by the chair and any other reviewers, and by the faculty member reviewed to acknowledge that the review was completed.

c. Enter into the faculty member's departmental professional file the inventory, the final summary report, and any other pertinent information used in the review. The faculty member reviewed will be given a copy of the final summary report.

If the faculty member's performance is deemed outstanding, a copy of the report shall be entered into the peer review file as evidence to support a high merit ranking, and the chair shall consider the faculty member in the recommendations to the Dean for special merit awards.

If the faculty member's review reveals a need for significant improvement in performance, the chair will report such to the academic Dean. The Dean and the chair, in consultation with the faculty member, will recommend a retraining or redevelopment program to the Provost and Vice Chancellor for Academic Affairs, who shall assist the Dean to find resources to fund such a program. This program may include, but is not limited to, additional coursework or referral to the Employee Assistance Program, participation in professional meetings in the discipline, and/or appointment of a peer mentor.

4.5.3 Challenging the Review

The faculty member may challenge the summary report before the reviewer(s) and/or before the tenured faculty of his or her department. Subsequently, the faculty member may take the matter to the University Faculty Hearing, Grievance, and Appeals Committee.

4.5.3.1 Procedures: Post-tenure Review Timeline

a. Names of faculty members subject to post-tenure review forwarded to heads of academic units no later than May 1 of the academic year preceding review
b. Head of academic unit notifies faculty member no later than May 15 of the academic year preceding review
c. Department sets post-tenure review dates and decides whether post-tenure review will be conducted by the chair or by committee no later than September 30
d. Selection of committee, if necessary, completed by October 15
a. Head of academic unit notifies faculty member and post-tenure review committee (if committee option is in effect) of review dates by October 30

f. Faculty member compiles portfolio and other pertinent data of previous five years' contributions no later than January 30

g. Chair or committee reviews portfolio during one- to three-week review period between January 30 and April 15 (Post-tenure review dates set by department no later than September 30—see (c) above.)

h. Chair or committee meets with faculty member to discuss performance. Following this meeting, final summary of findings and recommendations is prepared and signed, with faculty member receiving copy of post-tenure review report no later than two weeks after post-tenure review period. (Post-tenure review dates set by department no later than September 30—see (c) above.)

i. Post-tenure review report is forwarded to Dean by one week after meeting with faculty member.

j. Dean forwards post-tenure review report and any response to the Provost and Vice Chancellor for Academic Affairs by one week after post-tenure review report forwarded to Dean.

4.6.3.2 Table: Post-tenure Review Calendar

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<tr>
<td>Chair or committee reviews portfolio one week review period between January 30 and April 15</td>
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<tr>
<td>Chair or committee member meets with faculty member and final summary is submitted to faculty member no later than two weeks after the post-tenure review period</td>
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<td>Post-tenure review report forwarded to Dean by one week after meeting with faculty member</td>
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<td>Dean forwards report and any response to the Provost and Vice Chancellor for Academic Affairs by one week after post-tenure review report is forwarded to Dean</td>
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If significant improvement in performance is needed, the faculty member, the chair, the Dean and the Provost and Vice Chancellor for Academic Affairs confer to draft an appropriate retraining or development program. Resources should not be removed from existing faculty development programs for programs to remedy deficiencies.

UNIVERSITY OF WISCONSIN – River Falls
Faculty and Staff Handbook

Chapter IV: Faculty Personnel Rules and Procedures of UW-River Falls

4.5 Periodic Review-Faculty Personnel Rules

Post tenure review of tenured faculty members is essential to promoting faculty development, including recognizing innovation and creativity; enhancing the educational environment for students; and identifying and readdressing deficiencies in overall performance of duties through a supportive and developmental remediation process.

To support the developmental role of post-tenure reviews, the Faculty Senate and/or each College will identify and maintain a list of opportunities available to all faculty.
Post tenure reviews do not infringe on existing faculty rights and protections, including those of academic freedom, as noted in the Faculty Handbook, by the UW System Board of Regents, or the UW System Policies.

Post tenure reviews are separate and distinct from more frequent reviews of tenured faculty as noted in 4.5.1 (course evaluations, peer evaluations, or other reviews as determined by the Department or College).

Post tenure reviews and remediation plans are not subject to the grievance process set forth in Chapter UWS 6.02, Wis. Admin. Code. This policy adaptation is a directive from UW System.

4.5.1 Post-tenure Review of Professional Activities of Faculty

The post tenure review period begins in the academic year following the granting of tenure. Every five years the professional activities of tenured faculty will be reviewed to inform each faculty member of his or her performance. The review may be conducted simultaneously with merit review or with promotion review. For the purpose of this review the criteria used are those found in the Faculty and Staff Handbook under Section 4.3.2.1c [1, 2, and 3], the appropriate department’s criteria and expectations, and additional College criteria and expectations. The criteria used in the review must fall within the three categories of teaching, scholarship/research/creative activities and service as stated in RPD 20-9(6). Such department and college statements are to be communicated to faculty in writing and be on file in the Office of the Provost and Vice Chancellor for Academic Affairs.

The post-tenure review may be deferred, only with the approval of the Provost, for unusual circumstances such as when it may coincide with an approved leave or other appointment. In such cases, the Provost will specify the new review cycle that applies to the faculty member.

4.5.2 Conducting the Review

The departmental academic unit will determine whether a committee of tenured faculty or the Chair will conduct the review. The reviewers must not have a lower academic rank than the person being reviewed. In the case of a tie, the Dean will be consulted. The reviewer(s) shall:

a. Review the teaching portfolio, the personal reflective statement (see Section 4.3.2.3 above) and other pertinent data submitted by the faculty member. The faculty member has primary responsibility for assembling the data for review. The faculty member will include an inventory of the data submitted, and the Chair will verify the inventory contents. The faculty member is responsible for promptly submitting the information for his or her review. The reviewer(s) will prepare a summary of their findings.

The summary of the reviewer[s] findings must reflect the overall results of the review by determining the category that reflects the faculty member’s professional competency and their discharging of the duties associated with the faculty member’s position.
• "Exceeds Expectations:" Performance reflects a significant level of accomplishment beyond what is expected by the faculty member’s department.

• "Meets Expectations:" Performance reflects the expectations of accomplishment established by the faculty member’s department.

• "Does Not Meet Expectations:" Performance reflects a level of accomplishment below the expected level established by the faculty member’s department and which requires correction.

b. Discuss with the faculty member his or her performance in continuing to meet the criteria under Section 4.3.2.1.c. Following this discussion the reviewer(s) will prepare a final summary of findings and recommendations, which will be signed by the chair and any other reviewers and by the faculty member reviewed to acknowledge that the review was completed.

c. Enter into the faculty member’s departmental professional file the inventory, the final summary report, and any other pertinent information used in the review. The faculty member reviewed will be given a copy of the final summary report. The faculty member may provide a written response to the report. The summary report needs to be provided to the Dean and Provost.

d. If the faculty member’s performance is deemed to “exceed expectations,”

• The Department Chair will recommend to the Dean an appropriate recognition for achieving an “exceeds expectations.”

• Recognition should be significant, up to and including an adjustment to base pay.

• If approved by the Dean, the recommendation will be forwarded to the Provost.

e. If the faculty member’s performance is deemed to “meet expectations,”

• The Department Chair will recommend to the Dean an appropriate recognition for achieving a “meets expectations.”

• Recognition may be in the form of a one-time additional compensation, reassigned time for professional development, or another appropriate recognition.

• If approved by the Dean, the recommendation will be forwarded to the Provost.

f. If the faculty member’s review [4.5.2.c] reveals a “does not meet expectations,” the chair will report this in writing, to the academic Dean for review. Following the Dean’s review the report will be submitted to the Provost and Vice Chancellor for Academic Affairs for review. The faculty member may provide a written statement to accompany these reviews. Following the Provost and Vice Chancellor for Academic Affairs’ review, the faculty member will be informed by the Provost and Vice Chancellor for Academic Affairs that the faculty member has received a revised result of at least a “meets expectations,” or that a remediation plan will be developed.

The Dean and the faculty member, in consultation with the Chair, will develop the remediation plan according to RPD 20-9(12)(c).

• The primary focus of the remediation plan shall be developmental and provide the faculty member with appropriate support from the Department or Dean as applicable.

• The remediation plan must identify the criteria that will be used to show that the faculty member has
satisfied the expectations of the remediation plan.

- The remediation plan must contain explicit narrative that identifies how all deficiencies will be satisfied.
- The remediation plan must contain a timeline for each deficiency identified.
- The timeline must identify progress checkpoints and required documentation of progress [e.g., scholarly work, teaching evaluations, etc.].
- The timeline must reflect scheduled meetings with the Dean, Department Chair and/or other peer mentors identified in the remediation plan chosen by the faculty member under remediation.

- The Provost and Vice Chancellor for Academic Affairs shall assist the Dean to find resources to fund such a plan. This plan may include, but is not limited to, additional coursework, referral to the Employee Assistance Program, participation in professional meetings in the discipline, and/or appointment of a peer mentor.
  - Resources should not be removed from existing faculty development programs for programs to remedy deficiencies.

- All elements of the remediation plan must be satisfied within a reasonable time period, commensurate with the identified deficiencies as determined by the Dean. The time period may not exceed three academic semesters with the following exception:
  - If a performance shortfall is related to research where more than three academic semesters may be necessary to correct the identified deficiencies, an extension of one academic semester shall be permitted only with the permission of the Provost and Vice Chancellor of Academic Affairs. Notification of the extension will be submitted to the UW System Administration Vice President for Academic and Student Affairs.

- If the faculty member successfully fulfills the remediation plan, the Dean will notify the Provost and the faculty member.

- If the faculty member fails to meet the expectations established in the remediation plan:
  - If the recommendation is not approved or if the additional time fails to achieve at least a “meets expectations” in all of the deficiencies, the Dean will follow the existing complaint process and will take disciplinary action as appropriate up to and including dismissal for cause under UWS Chapter 4.
  - The faculty member may provide a written statement to accompany these actions.

- Unless noted elsewhere in this section, all information related to the post-tenure review and remediation plans, if relevant, will be disclosed only at the discretion, or with the explicit consent, of the faculty member, unless required by business necessity or by law.
4.5.3 Challenging the Review

4.5.3.1 Procedures: Post-tenure Review

a. Names of faculty members subject to post-tenure review are forwarded to heads of academic units no later than May 1 of the academic year preceding review.

b. Head of academic unit notifies faculty member no later than May 15 of the academic year preceding review.

c. Department sets post-tenure review dates and decides whether post-tenure review will be conducted by the Chair or by committee no later than September 30.

d. Selection of committee, if necessary, is completed by October 15.

e. Head of academic unit notifies faculty member and post-tenure review committee (if committee option is in effect) of review dates by October 30.

f. Faculty member compiles portfolio and other pertinent data of previous five years' contributions no later than January 30.

g. Chair or committee reviews portfolio during one-week review period between January 30 and April 15. (Post-tenure review dates set by Department no later than September 30 - see (c) above.)

h. Chair or committee meets with faculty member to discuss performance. Following this meeting, final written summary of findings and recommendations is prepared and signed, with faculty member receiving copy of post-tenure review report no later than two weeks after post-tenure review period. (Post-tenure review dates set by department no later than September 30 - see (c) above.)

i. Post-tenure review report is forwarded to Dean for review by one week after the faculty member receives a copy of the post-tenure review report.

j. Dean forwards post-tenure review report and any response to the Provost and Vice Chancellor for Academic Affairs by one week after post-tenure review report forwarded to Dean.

k. Within one week of receiving a “does not meet expectations” recommendation, the Provost and Vice Chancellor for Academic Affairs will inform the Dean and faculty member that the faculty member has received a revised result of at least a “meets expectation” or that a remediation plan will be developed.

l. Within one month of receiving notification that a remediation plan will need to be developed, the Dean, Department Chair, and faculty member will develop a remediation plan.

m. Each Department Chair must report annually to the Dean that all post-tenure reviews for tenured faculty in that annual cycle have been completed. The Provost and Vice Chancellor for Academic Affairs is responsible for ensuring that reviews are completed on schedule.

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<td>Provost and Vice Chancellor for Academic Affairs review reports. For those that “do not meet expectations” the Dean will be notified that a remediation plan needs to be developed</td>
<td>By one week after post-tenure review report is forwarded to the Provost if it does not “meet” or “exceed” expectations</td>
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<td>Dean, Department Chair and faculty member develops a remediation plan to address deficiencies</td>
<td>By one month after notification is received from the Provost and Vice Chancellor for Academic Affairs</td>
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<tr>
<td>Dean notifies faculty member in writing that the remediation plan has not addressed all of the deficiencies</td>
<td>By one week after the ending date of the remediation plan</td>
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<td>If appropriate, the Dean requests in writing that the Chancellor extends the remediation completion date. A revised remediation plan must accompany the request</td>
<td>By one month after a negative notification, the result is received from the Dean</td>
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<td>The Chancellor accepts/rejects the request for an extension of the remediation plan to a fourth academic semester RPD 20-9(1) (c) (ii)</td>
<td>Within one week of receiving the written request</td>
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<td>The Dean makes a written recommendation for discipline for faculty members who fail to address all deficiencies noted in the post-tenure review</td>
<td>To the appropriate Senate Committee and Provost within one month of the non-fulfillment of the remediation plan</td>
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