

Memo To: All UH-Downtown/PS Holders
From: Dr. Loren J. Blanchard, President
Subject: Performance Evaluation/Post-Tenure Review
of Tenured Faculty

UH-Downtown/PS 10.A.16
Issue No. 5
Effective Date: 4/1/2024
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1. PURPOSE

- 1.1 This policy is intended to promote a tenured faculty member's continued and enhanced performance for the benefit of the university -- the expectation set forth by [PS 10.A.01 - Rank and Tenure System](#).
- 1.2 In compliance with [Texas Education Code §51.942](#) and [UHS Board of Regents Policy](#), Section III, rule 21.11.3, the University of Houston-Downtown (UHD) has adopted rules and procedures providing for a periodic performance evaluation process for all tenured faculty. The evaluation process is based on the professional responsibilities of the faculty member in teaching, scholarly/creative activities, and service/professional activities. It includes peer review, incorporates commonly recognized academic due process rights, and is directed toward the continued professional development of tenured faculty.
- 1.3 To that end, PS 10.A.16 enables a tenured faculty member who is not meeting minimum performance expectations to utilize a peer-coordinated faculty development plan devised in concert with the affected faculty member, with the primary goal of helping the faculty member return to expected performance levels.

2. DEFINITIONS

- 2.1 Annual Activity Report: A written report detailing activities that a faculty member performed in the three areas of teaching, scholarly/creative activities, and service/professional activities as defined in [PS 10.A.05 \(Tenured/Tenure-Track Faculty Performance Evaluations\)](#).

3. POLICY

- 3.1 Post-Tenure Annual Review
 - 3.1.1 Performance Evaluation Reports

- 3.1.1.A Each tenured faculty member at UHD undergoes a comprehensive performance evaluation process conducted once every year. This process is governed by [PS 10.A.05 \(Tenured/Tenure Track Faculty Performance Evaluations Policy\)](#) for all faculty whose principal responsibility is teaching, while department chairs are evaluated according to the procedures set forth in [PS 10.A.17 \(Department Chair Policy\)](#).
- 3.1.1.B After submitting their annual activity report, each faculty member receives a performance evaluation report with numerical ratings for each of the three areas of assessment. Performance categories and corresponding rating scores are outlined in [PS 10.A.05](#). Scores for teaching, scholarly/creative activities, and service/professional activities are based upon the criteria established by individual departments and articulated in departmental evaluation rubrics.
- 3.1.2. Review of Evaluation Reports
- 3.1.2.A The faculty development plan (described in section 3.2) shall be initiated if at least one of the following conditions applies:
- the most recent annual performance evaluation report (omitting those exempted under 3.1.3) indicates that the faculty member has not been meeting expectations in at least one area of assessment (i.e., as defined in [PS 10.A.05](#), received a rating of 2 or lower for the same area on report);
 - or
 - a faculty development plan is indicated by [PS 10.A.05](#) (section 3.1.4).
- 3.1.2.B If neither condition applies, then no further action is necessary with respect to this policy.
- 3.1.3. Exemptions
- 3.1.3.A Before a tenured faculty member submits their annual activity report, they may request to omit the corresponding performance

evaluation report from the review under section 3.1.2. Requests must be made in writing and submitted directly to the provost. Whether the faculty member takes a leave of absence or not, circumstances that may justify an omission include, but are not limited to, family emergencies, becoming a parent, serious illness or injury, or other serious disruptions or personal emergencies beyond the faculty member's control.

3.1.3.B Upon approval, the provost will notify the department chair of the request, but not the reason for the request, within five working days. The department chair will acknowledge the omission of the performance evaluation report in writing, with copies to the dean and the faculty member.

3.1.3.C The omission of a performance evaluation report may occur at most twice (for a total of two years of omission) during any six consecutive years, with each omission occasioned by the circumstances listed above.

3.1.3.D An exemption granted under this section pertains only to the review of evaluation reports as per section 3.1.2.

3.2 Faculty Development Plan

3.2.1. The goal of a faculty development plan is to restore the faculty member's performance to the level that meets or exceeds expectations as articulated in the departmental rubric. The plan's purpose is to outline the specific activities and accomplishments necessary to restore performance to that level. The plan is to be drafted by an ad-hoc post-tenure development committee (defined in section 3.3 below) in collaboration with the affected faculty member, the department chair, and the dean. It is the faculty member's obligation to assist in developing a meaningful and effective plan and to make a good-faith effort to implement the plan. The plan should be in writing and must:

3.2.1.A list specific deficiencies to be addressed;

- 3.2.1.B define specific goals/outcomes necessary to remedy the deficiencies;
 - 3.2.1.C list specific actions/activities, if any, a faculty member must undertake to achieve the goals/outcomes;
 - 3.2.1.D identify institutional resources to be committed in support of the plan;
 - 3.2.1.E indicate the criteria for assessment of progress in the plan (including the acceptable annual evaluation scores in the interim); and
 - 3.2.1.F set the timeline for achieving goals/outcomes.
- 3.2.2. The timeline shall not exceed three years, after which time the faculty member's performance must meet or exceed expectations in all areas (as indicated by a score of 3 or above in each area of assessment).
- 3.3 Post-Tenure Development Committee
- 3.3.1. The three-member ad-hoc post-tenure development committee (committee) is charged with drafting a workable faculty development plan in collaboration with the affected faculty member, the department chair, and the dean, and monitoring and assessing progress toward achievement of the plan's goals in accordance with procedures outlined in Section 3 of this policy.
- 3.3.2. The committee is appointed by the dean in consultation with the department chair and the affected faculty member. The affected faculty member may express concerns (in writing) about the committee composition to the dean and department chair during the committee selection process. The committee members shall be selected based on relevance of their area of expertise, and academic qualifications, and are expected to act objectively. Qualified faculty of the same or higher rank as the affected faculty member shall be prioritized. When appropriate or necessary, the committee may include faculty from other departments or colleges.

4. PROCEDURES

- 4.1 If the affected faculty member is a department chair, then the responsibilities of the chair described in this policy shall be performed by the dean.
- 4.2 Notification
 - 4.2.1. If a faculty development plan is indicated upon review of performance evaluation reports (see section 3.1.2), it begins either when a faculty member chooses not to appeal the annual performance evaluation rating scores or upon completion of the appeal process if the evaluation scores still call for a faculty development plan as per section 3.1.2.
 - 4.2.2. The department chair shall alert the dean of any faculty member whose performance calls for establishing the faculty development plan.
 - 4.2.3. The dean, after consultation with the department chair, will notify the affected faculty member in writing that they are subject to a faculty development plan and inform them of the procedure. A copy of the notification will be sent to the provost. Once the faculty member has been notified, the committee is formed as per section 3.3 of this policy.
- 4.3 Establishment of Faculty Development Plan
 - 4.3.1. The department chair shall provide the committee, at minimum, with the relevant annual activity reports submitted by the affected faculty member, and copies of any available corresponding performance evaluations, including performance evaluation report which initiated this plan (see sections 3.1.3, 3.1.7, and 3.1.8 of [PS 10.A.05](#)).
 - 4.3.2. The committee shall consider these materials and, in collaboration with the affected faculty member and the department chair, draft an individualized faculty development plan which satisfies the requirements outlined in section 3.2 above. The faculty member can provide the committee with any additional materials at any time before the plan's draft is sent to the dean.
 - 4.3.3. The department chair will then send the draft of the plan to the dean who will either accept it as written or send it back to the chair, the committee, and the faculty member with comments and suggestions on how to adjust.

Once the plan has been approved by the dean, the dean shall send it to the faculty member, with a copy to department chair, the committee, and the provost.

4.3.4. If the faculty member does not agree with the plan approved by the dean, the plan must be forwarded to the provost for a final hearing and decision.

4.3.5. The faculty member is expected to fully participate and comply with the terms of the approved faculty development plan. Willful non-compliance may result in the faculty member being subject to disciplinary action based on neglect of their professional responsibilities.

4.4 Progress Assessment

4.4.1. Once a faculty development plan has been initiated, the faculty member's progress in the plan will be assessed once a year for the duration of the plan, during the regular annual review cycle. The affected faculty member shall submit a plan progress report along with their annual activity report, both to be reviewed by the department chair (or the dean if the affected faculty member is the chair) and the post-tenure development committee.

4.4.2. If the committee has lost any of its original members, then eligible replacement faculty members shall be appointed by the dean in consultation with the department chair and the affected faculty member before the progress assessment and performance evaluation begin.

4.4.3. The evaluation of a faculty member's annual performance in the three areas shall be carried out by the department chair in consultation with the post-tenure development committee in the manner established by the applicable policy ([PS 10.A.05](#) or [PS 10.A.17](#)).

4.4.4. The committee will also consult with the department chair concerning the faculty member's progress toward achieving the goals and meeting the milestones set forth by the faculty development plan. The general assessment of the faculty member's progress in the plan shall be included in the chair's performance evaluation report for the faculty member.

4.4.5. The chair must also send the progress assessment to the dean, in writing, and formally state one of the following findings:

4.4.5.A Satisfactory progress in meeting the goals of the faculty development plan.

- Upon review and approval, the dean will communicate this finding to the faculty member in writing, with a copy to the provost. This finding requires no further action. However, if requested by the faculty member and approved by the department chair and the committee, this finding may be accompanied by the chair's written request to the dean to approve the change in terms of the ongoing faculty development plan (see section 4.4).

4.4.5.B Unsatisfactory progress in meeting the goals of the faculty development plan.

- This finding may be accompanied by chair's written request to the dean to make certain specific modifications to the terms of the ongoing faculty development plan. The proposed modifications are either requested by the faculty member and approved by the department chair and the committee or are requested by the chair and the committee and agreed upon by the affected faculty member. Upon approval, the dean will communicate the finding of unsatisfactory progress to the faculty member in writing, with a copy to the provost.
- Alternatively, this finding may be followed by a written recommendation to the dean to terminate the plan. All the relevant materials (e.g., annual reports, performance evaluation reports, previous progress assessments etc.) shall be included with the recommendation. Upon review, the dean will communicate the finding of unsatisfactory progress to the faculty member, with a copy to the provost, or initiate completion of the faculty development plan procedure outlined in section 4.5 below.

4.4.5.C Plan completion.

- When the goals of the plan have been achieved or when the agreed timeline is exceeded, the department chair, in consultation with the committee, shall send the plan completion report to the dean, and include all the relevant materials (see section 4.5 – Completion of the Faculty Development Plan, below).

4.4.6. While the faculty development plan is ongoing, a copy of each annual performance evaluation report, chair's assessment of the faculty member's progress on the plan, and dean's communication of findings to the faculty member shall be sent to the provost.

4.5 Changes in the Approved Faculty Development Plan

- 4.5.1. During any periodic progress assessments, the faculty member may request a change in terms of the ongoing faculty development plan. The requested changes shall be specific and should be included in the plan progress report to be reviewed by the committee and the chair. Situations when a change to an ongoing faculty development plan may be approved include, but are not limited to, circumstances beyond the affected faculty member's control. In such cases, the faculty member is required to provide relevant documentary evidence supporting their request. Where such documentary evidence involves protected personal information, all reasonable care must be taken to prevent the unauthorized disclosure of such protected personal information beyond the department chair, the dean, and the provost.
- 4.5.2. The request to change the terms of an ongoing faculty development plan may also be initiated by the chair and/or the committee in concert with the affected faculty member if it is deemed beneficial for the successful completion of the plan.
- 4.5.3. All change requests are subject to approval of the dean, with final approval by the provost. After final approval by the provost, copies of the

modified plan will be sent to the affected faculty member, the dean, the department chair, and the committee.

4.6 Completion of the Faculty Development Plan

4.6.1. If the dean receives a plan completion report as per section 4.3.3 or a recommendation to terminate the plan as per 4.3.2 then the dean must make a determination:

4.6.1.A Satisfactory Completion of the Plan.

- If, upon reviewing the chair's plan completion report along with other relevant materials, the dean agrees that (a) the tenured faculty member has met the goals of the faculty development plan within the timeframe set forth by the plan, and (b) their performance meets the departmental expectations in all three areas of assessment, the dean will inform the faculty member of that finding in writing, with a copy to the provost.
- A satisfactory completion of the plan is a positive outcome to which all faculty and administrators involved in the process shall be committed.

4.6.1.B Unsatisfactory Completion of the Plan.

- If, upon reviewing the chair's plan completion report or the chair's recommendation to terminate the plan as per 4.3.2 along with all the relevant materials and discussing them with the affected faculty member, the dean agrees that the faculty member (a) has failed to meet the goals set forth in the faculty development plan according to the established timeline, and (b) still fails to meet departmental performance expectations, then the dean will report this finding to the provost, in writing, with a copy to the affected faculty member.

- In this case, the faculty member may be subject to disciplinary action, including those outlined in [PS 10.A.06 \(UHD Faculty Dismissal Policy and Procedures\)](#).

4.6.1.C If, upon reviewing the chair's plan completion report or recommendation to terminate the plan, the dean disagrees with the chair's finding then the provost will review all the available materials and make the determination in consultation with the dean and the department chair.

4.7 Appeals

4.7.1. The timeline and the appeal procedure for annual performance evaluation reports are governed by the applicable evaluation policy ([PS 10.A.05](#) or [PS 10.A.17](#)).

4.7.2. Faculty development plan progress assessment and findings may be appealed to the provost.

4.7.3. If the faculty member wishes to contest the composition of the post-tenure development committee, an appeal may be made to the provost. After consultation with the faculty member, department chair, and dean, the provost will determine the committee composition.

4.7.4. If, at any point during the procedure, the faculty member believes the provisions of this policy are being unfairly applied, a grievance may be filed under the provisions of [PS 10.A.02 \(Faculty Grievance Policy\)](#).

4.8 Specific Reasons and Nonbinding Alternative Dispute Resolution

4.8.1. The Board of Regents of the University of Houston System must give specific reasons in writing for any decision to terminate a tenured faculty member based on the outcome of the procedures outlined in this policy. The faculty member shall have the opportunity for referral of the matter to a nonbinding, alternative-dispute-resolution process as described in [Chapter 154, Civil Practice and Remedies Code](#). The opportunity for nonbinding alternative dispute resolution shall be available only after all internal appeal procedures are exhausted.

4.9 Timetable

4.9.1. In any year:

4.9.1.A May 20: The faculty member and the provost are notified as per section 4.1 that initiating a faculty development plan is indicated.

- Note: May 20th is the deadline for the decision on the appeal of annual performance evaluations.

4.9.1.B September 1: The post-tenure development committee is identified, and relevant materials are shared with the committee as per 4.2

4.9.1.C September 15: The post-tenure review peer committee submits the first draft of a faculty development plan to the dean per 4.2.

4.9.1.D October 1: The approved faculty development plan is shared with the affected faculty member, the department chair, the dean, and the provost.

4.9.2. In a year when a faculty development plan is ongoing:

4.9.2.A The chair's communication of progress assessment and/or final plan completion report must be submitted to the dean by the date specified in [PS 10.A.05](#) for chairs to submit preliminary ratings to their dean.

4.9.2.B The dean's communication of findings regarding the faculty member's progress assessment must be submitted to the faculty member by the date specified in [PS 10.A.05](#) for chairs to submit written performance evaluation reports to the individual faculty member.

5. REVIEW PROCESS

Responsible Party (Reviewer): Senior Vice President for Academic Affairs and Provost

Review Period: Every five years on or before September 01, and as necessary

Signed original on file.

President

6. POLICY HISTORY

Issue #1: Date unavailable

Issue #2: 04/16/98

Issue #3: 01/01/23

Issue #4: 09/01/23

Issue #5: 04/01/24

7. REFERENCES

[PS 10.A.01- Rank and Tenure System Policy](#)

[PS 10.A.02- Faculty Grievance Policy](#)

[PS 10.A.05- Tenured/Tenure Track Faculty Performance Evaluations Policy](#)

[PS 10.A.17- Department Chair Policy](#)

[10.A.06 Faculty Dismissal policy](#)

[UHS Board of Regents Policy 21.11.3 – Post Tenure Review](#)

[Chapter 154, Civil Practice and Remedies Code](#)

[Texas Education Code §51.942](#)

8. EXHIBITS

There are no exhibits associated with this PS.