

TITLE: Post-Tenure Review

ORIGINATOR: Faculty Senate

APPROVAL DATE: May 7, 2021

EFFECTIVE DATE: May 7, 2021

PURPOSE: To establish a procedure for post-tenure review.

SEE ALSO: IHL Policy 403.0103

REVIEWER: Provost, Academic Council, Faculty Senate

REVIEW DATE: September 2024 and every 5 years thereafter

OPERATING DETAILS:

Principles

1. The Faculty of Mississippi University for Women recognize as a matter of professional responsibility the importance of all tenured faculty continuing to develop productively in teaching, research, and service. Accordingly, evaluation of the teaching, research and service of a tenured faculty member does not cease with the granting of tenure and the presumption of merit that tenure entails, but continues with annual review of all components of a tenured faculty member's assignment which are used for the improvement of the tenured faculty and its educational mission.
Post-tenure review at MUW should not be compared to that of any other institution. Post-tenure review at MUW will depend on the characteristics of MUW - its size, its mission, and its tenured faculty - as well as on the resources that it can bring to bear in the area of tenured faculty development.
2. This procedure is intended for assessing cases in which a tenured faculty member's level of performance may have decreased over a sustained period and for improving that level of performance.
3. The grant of tenure is the academic community's chief guarantee of academic freedom. Under no circumstances shall annual review or post-tenure review impinge upon academic freedom or be initiated in direct response to any incident outside the assessment of annual evaluations of an individual tenured faculty member.
4. To gain tenure a faculty member at Mississippi University for Women normally goes through a six-year probationary period in a tenure track position, unless credit toward tenure was awarded upon hiring. The lengthy demonstration of competence that precedes the award of tenure is required precisely so that tenured faculty are not recurrently at risk and are afforded the professional autonomy and integrity essential to academic quality.
5. Nothing in this procedure should be construed as an attempt to alter the contractual relationship between the tenured faculty member and the university or to alter the nature of tenure as traditionally conceived and legally defined in the American academic community. Nor is this procedure intended as a mechanism for reevaluating or revalidating the grant of tenure. Thus a tenured faculty member cannot be required to remake their case for tenure or otherwise to reassume the burden of proof that they bore in the original tenure proceedings.
6. Post-tenure review is not undertaken for the sole purpose of dismissal. Formal, well- settled disciplinary procedures exist for that purpose. Tenured faculty members are

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- subject to termination for (1) financial exigencies, (2) termination or reduction of programs, academic or administrative units as approved by the Board, (3) malfeasance, (4) inefficiency, (5) contumacious conduct, or (6) for cause. (IHL Policy 403.0104)
7. Post-tenure review is not intended to discourage controversy, risk-taking, induce self-censorship or in general interfere with the conditions that make innovative teaching, research, scholarship, service and administration possible.
 8. The basic standard for appraisal should be whether the tenured faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with their position.

Procedures

Post-Tenure Review for Tenured Faculty

9. The Department Chair will conduct annual reviews for all tenured faculty within the Department. When there have been at least three unsatisfactory annual reviews, over a four-year period, the Department Chair may ask the Dean of the College/School to issue a request that the College/School Promotion, Tenure, and Post Tenure Review Committee meet and appraise the tenured faculty member according to the appropriate criteria, including teaching/advising, scholarship/professional development, and university and community service. (Hereinafter the term “College” refers to the Colleges, School, and the University library.) If the Dean refuses the request, the Department Chair may take their case to the Chief Academic Officer (CAO), who will decide whether or not the College Committee should convene for the review.
10. The College Committee will conduct an investigation to determine whether there is substantial evidence indicating the need for increased development and productivity. The College Committee will appraise the tenured faculty member according to the appropriate criteria, and may interview the tenured faculty member, the Department Chair, and any other parties whose assistance it considers relevant. The committee will have the same access to university records as is granted to the University Promotion, Tenure, and Post-Tenure Review Committee (University Committee). The College Committee will be chaired by a member elected by the Committee. Should there be insufficient members within a College for membership on the College Committee, tenured faculty members from other colleges may be used.
11. If the College Committee finds that there is not substantial evidence of a pattern of low performance and productivity or that there is evidence of insufficiently recognized merit, it will report these findings to the Department Chair, to the Dean of the College, to the CAO, and to the tenured faculty member, and the case will be closed.
12. If the College Committee finds that there is substantial evidence of a pattern of low performance and productivity, it will meet with the tenured faculty member and the Department Chair to formulate a mutually acceptable plan of improvement to extend over 1-2 years. The plan will clearly specify the improvement criteria and other arrangements calculated to restimulate or refocus the faculty member's energies. If the aggrieved faculty member disagrees with the College Committee's improvement plan, they may appeal to the University Committee (Sec. 15 below) but only before the College Committee's plan is implemented. Appeals are to be made on the improvement plan as designed, not as enacted.
13. A copy of the plan of improvement and the method of evaluation will be filed with the Department Chair, the College Committee, the Dean of the College, and the CAO.
14. The College Committee will monitor the success of the improvement plan over its planned duration and will render progress reports to the Department Chair, Dean of the College, and CAO each fall and spring semester. If satisfactory progress has been made

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- by the end of the improvement plan (or earlier if performance has been raised to a level that satisfies the College Committee), the Committee will report its conclusions to the faculty member, to the Department Chair, to the Dean of the College, and to the CAO; the Committee will terminate oversight of the improvement plan and the case will be closed. If the developmental assistance is determined to have been ineffective, the CAO may invoke sanctions, including recommending dismissal in accordance with the policies of the Board of Trustees of State Institutions of Higher Learning. The CAO will inform the following of their decision: the faculty member, the Department Chair, and the Dean of the College.
15. If the tenured faculty member does not agree to the plan of improvement or feels that issues of academic freedom are involved, they may appeal, before the plan is implemented, from the College Committee to the University Committee. The University Committee will conduct an investigation to determine whether there is substantial evidence indicating the need for increased development and productivity. The University Committee will appraise the tenured faculty member according to the appropriate criteria, and may interview the tenured faculty member, the Department Chair, and any other parties whose assistance it considers relevant. The tenured faculty member will receive copies of all recommendations sent to the CAO. The University Committee will report to the CAO in writing that (1) there is satisfactory performance and that any proposed improvement plan should be terminated; (2) there is substantial evidence of low performance and productivity and the improvement plan may be modified to the satisfaction of the University Committee; or (3) there is substantial evidence of low performance and productivity and the improvement plan should be implemented without modification. The University Committee will explain its decision in writing to the faculty member, the Department Chair, the College Committee, the Dean of the College, as well as the CAO.
 16. The University Committee will monitor the success of the improvement plan, including rendering progress reports each fall and spring semester for the stated period of time. If satisfactory progress has been made by the end of the improvement plan (or earlier if performance has been raised to a level that satisfies the University Committee), the Committee will report its conclusions to the Department Chair, the Dean of the College, and to the CAO, and the Committee will terminate oversight of the development plan and the case will be closed. If the developmental assistance is determined to have been ineffective, the CAO may invoke sanctions, including recommending dismissal in accordance with policies of the Board of Trustees of State Institutions of Higher Learning. The CAO will report their decision to the faculty member, Department Chair, and the Dean of the College.
 17. If the faculty member rejects the written improvement plan recommended by the University Committee, the Committee shall report the rejection to the College Committee, to the Department Chair, to the Dean of the College, and to the CAO. The faculty member shall have the opportunity to provide written rationale for the rejection. The CAO may refer the matter back to the University Committee for further review or may invoke sanctions, including recommending dismissal in accordance with the policies of the Board of Trustees of State Institutions of Higher Learning. The CAO will report their decision to the faculty member, Department Chair, and the Dean of the College. The faculty member may appeal the CAO's recommendation to the Faculty Appeals Committee.
 18. Except when faculty appeals procedures direct that files be available to aggrieved faculty members, the outcome of evaluations should be confidential, that is, confined to the appropriate College or university persons or bodies and the faculty member being evaluated, released otherwise only with the consent of the faculty member.

Post-Tenure Review of Department Chairs with Tenure

19. Department Chairs will be subject to annual performance review by faculty members within the College according to the annual review policy of the University and by the CAO according to written published criteria. For purposes of post-tenure review, for tenured faculty members serving as Department Chairs or in other capacities with similar duties, the function of the College Committee is performed by the University Committee, and the function of the Department Chair is performed by the CAO. If the faculty member rejects the written improvement plan recommended by the University Committee, the Committee shall report the rejection to the CAO. The faculty member shall have the opportunity to provide written rationale for the rejection. The CAO may refer the matter back to the University Committee for further review or may invoke sanctions, including recommending dismissal in accordance with the policies of the Board of Trustees of State Institutions of Higher Learning. The faculty member may appeal the CAO's recommendation to the Faculty Appeals Committee. The CAO will report to the Dean of the College.

Post-Tenure Review of Administrative Officers with Faculty Rank

20. Administrative Officers with Faculty Rank will be subject to annual performance review according to the annual review policy and by the President according to written published criteria. The CAO shall be responsible for evaluating the teaching competency of Administrative Officers with Faculty Rank through annual reviews. Removal from the administrative position could trigger post-tenure review under the same circumstances as with any other tenured faculty member.

Reviewed: 10/02/02, 03/23/04, 09/04, Fall 2014, Fall 2019

Revised: 7/5/01, 6/22/09, 3/5/10, 5/7/2021

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