

University Procedures

Faculty Appointment, Annual Evaluation, Promotion and Tenure

Presentation to WVU Faculty Senate
December 5, 2022

Melissa Latimer, Associate Provost for Faculty Development and Culture
Tracy Morris, Associate Provost for Academic Personnel
Chris Staples, Executive Director of Academic Personnel

Why?

The purpose was to update the 2014-15 University Procedures to ensure that the faculty recognition and rewards process matches the University mission and strategic priorities. We utilized an equity-minded approach that supports a variety of faculty contributions, with a specific focus on transparency, accountability, and flexibility.

Timeline and Work to Date

- Conducted external audit in Fall 2020 with Dr. KerryAnn O'Meara a national expert in equity in workload and promotion and tenure guidelines
- Started work with Recognition and Rewards Committee in February 2021. The committee consists of seventeen (17) representatives from colleges/schools across the University
- Reviewed portions of the draft University Procedures on a weekly basis over the course of calendar year 2021 and the Spring 2022 semester
- Shared multiple times in Spring 2022 key portions of the draft University Procedures with the Faculty Advisory Committee, Faculty Senate Exec, Deans and Vice Presidents, and General Counsel
- Made changes to proposed University Procedures based on feedback from these groups including removing the post-tenure review and providing flexibility for external reviews

Timeline and Work to Date continued

- From August through October we held 26 Town Halls at each college/school, including the regional campuses
- Introduced the draft University Procedures on October 7, 2022 and held an open comment period through November 11, 2022
- 110 comments were received. Top three (3) areas were Ratings/Non-continuation (36), External Reviews (18), and Criteria (16)
- Additional changes were made to the proposed University Procedures based on feedback from the Town Halls and Qualtrics form
- Posted the “final” draft University Procedures on November 15, 2022
- Conducted additional research into the Big XII and aspirational peers non-continuation process

Changes

- Incorporating language to recognize and credit public and community-engaged work; multi/trans/inter-disciplinary work; and diversity, equity, inclusion, and social justice work
- Requiring formative and summative feedback on annual and cumulative reviews
- Requiring absolute criteria rather than “meets or exceeds” criteria
- More transparency throughout the University Procedures

Changes made in response to feedback

- Removed post-tenure review
- Allowed flexibility with external reviews for non-tenure track faculty
- Adjusted timelines (posting draft document, open comment period, and posting final procedures)
- Replaced “must” with “may” when recommending non-continuation
- Removed Code of Conduct language

Big XII and Aspirational Peers

Big XII Peers		Aspirational Peers
Baylor University	Texas Tech University	Ohio State University
Iowa State University	University of Kansas	Penn State University
Kansas State University	University of Oklahoma	Virginia Tech University
Oklahoma State University	University of Texas - Austin	University of Michigan
Texas Christian University		University of Wisconsin

Big XII and Aspirational Peers

- All of our Big XII and aspirational peers have a policy, rule, procedure, and/or process for the non-continuation of a tenured faculty member's appointment
- Overall timeline for non-continuation ranges from one year to ten years. Four (4) have a process that is faster, six (6) are on par with our timeline, and two (2) are longer
- Half of the universities contacted include a form of a performance improvement plan
- Every university includes a form of faculty involvement in the non-continuation process

Big XII Peers

(Data summarized from online resources and conversations with each university.)

University	Overall Time to Non-continue a Tenured Faculty Member	Post Tenure Review	Performance Improvement Plan	Faculty Committees Involved in Non-continuation Decisions
Big XII				
West Virginia University	3-5 years Two consecutive "Unsatisfactory" annual reviews or two out of three annual reviews.	No	Yes	Departmental Faculty Evaluation Committee, College Faculty Evaluation Committee, and University Promotion and Tenure Advisory Panel approved by Faculty Senate Grievance Procedure
University of Oklahoma	3-5 years	Yes Post-tenure review initiated early after two "Unsatisfactory" annual reviews	Not mentioned	Faculty Appeals Board of 50 full-time elected tenure track faculty members
Baylor University	3 years	No	Yes	University Level Faculty Committee
University of Kansas	Less than 5 years	Yes	Yes	Faculty Rights Board - Faculty Senate helps determine committee members
Iowa State University	3-5 years	No	Not mentioned	Faculty Review Board - created in consultation with Faculty Senate chair and confirmed by Provost.
Oklahoma State University	Initiate termination after two (2) failed post-tenure reviews that occur every five years. Dismissal can occur within a year for incompetence, neglect of duty, or abandonment.	Yes Every five (5) years	Not mentioned	Termination Review Committee
University of Texas - Austin	Less than one (1) year.	Yes Every six (6) years	Yes - development support plan	Faculty member can request a faculty grievance committee
Kansas State University	3-4 years	Yes Every six (6) years	Yes	Faculty committee
Texas Tech University	7-8 years	Yes Every six (6) years	Yes	Tenure Advisory Committee and a Tenure Hearing Committee chosen by lot
Texas Christian University	No clear time frame	Yes	Not mentioned	Faculty Tenure Hearing Committee

Aspirational Peers

(Data summarized from online resources and conversations with each university.)

University	Overall Time to Non-continue a Tenured Faculty Member	Post Tenure Review	Performance Improvement Plan	Faculty Committees Involved in Non-continuation Decisions
Aspirational Peers				
University of Wisconsin	5-7 years if count post-tenure review 2 years after "Unsatisfactory" post-tenure review.	Yes Every five (5) years	Yes - remediation plan	University committee must appoint an ad hoc faculty committee to review proposed sanctions consistent with faculty policies and procedures.
Virginia Tech University	2-3 years	Yes Post-tenure review initiated early after two "Unsatisfactory" annual reviews	Yes	Departmental committee reviews the post-tenure review file unless the departmental committee delivered a "unsatisfactory" rating, then the department elects a committee to carry out the review.
Ohio State University	1-5 years A chair or dean can initiate at any time a process to terminate faculty members for failure to meet their academic responsibilities, consistent failure to satisfactorily perform their faculty obligations.	Yes Faculty request, unit determination or consecutive negative periodic reviews of faculty member	Not mentioned	Each college appoints a college investigation and sanctioning committee that are tenured or a majority are tenured faculty for college. Then goes to a faculty hearing committee.
Penn State University	3-5 years	Extended review every five (5) years	Not mentioned	Standing Joint Committee on Tenure of five members elected by the University Senate
University of Michigan	Within one (1) year A chair or dean can initiate at any time a process to terminate faculty members for failure to meet their academic responsibilities (substantial and manifest neglect of duty).	No	Not mentioned	Faculty must request a hearing. Committee of five at or higher rank tenured faculty.

What is tenure designed to ensure?

- Tenure supports the principle of academic freedom
 - BOG Faculty Rule 4.1 - Academic Freedom; Academic & Professional Responsibility
- Tenure is not freedom from accountability
 - Since its inception, universities have made this clear
 - BOG Faculty Rule 4.2 – Appointment, Promotion, Tenure, and Dismissal For Cause

Evaluation Criteria

- The unit criteria would be set in advance as required in the proposed University Procedures
- Ratings must be made based on objective evidence not personal views (arbitrary and capricious); approved unit criteria will not infringe on academic freedom
- Academic units will determine how to credit innovative and higher risk research activity, as well as progress toward longform scholarship

Example Research Criteria: “Science Department”

	Rolling 3-year publication average
Excellent	≥ 2 with active grant ≥ 3 without funding
Good	≥ 1 with active grant ≥ 2 without funding
Satisfactory	$\geq .33$
Unsatisfactory	0 and feedback has been given in prior annual review that continued lack of research productivity would lead to rating of Unsatisfactory

Example: Timeline

Year	#Publications	3-year Avg	Rating	Action
2019-20	3	3	Excellent	
2020-21	0	2	Good	Feedback Given
2021-22	0	1	Satisfactory	Feedback Given
2022-23	0	0	Unsatisfactory	PIP Implemented
2023-24	0	0	PIP No Progress: Unsatisfactory	Recommendations Against Continuation
2024-25	0	0		Terminal Contract

Alternative Actions: Positive Outcomes

1. Respond to annual feedback
 - no need for a formal performance improvement plan
2. Respond to improvement plan
 - goals will be reasonable to demonstrate progress
3. Request adjustment to workload assignment

Due Process

Any recommendation for non-continuation triggers a review at *all* levels. A faculty review committee is included at each level.

Department Level	College Level	Provost Level
Faculty Evaluation Committee	Faculty Evaluation Committee	University Promotion and Tenure Advisory Panel
Chair	Dean	Provost

In addition, WVU faculty may appeal the decision under the Grievance Procedure per WV Code §6C-2 which may include three levels.

Next Steps

- During the January 9, 2023 meeting the Faculty Senate will vote on adopting the University Procedures
- If adopted Colleges and HSC schools will align their guidelines with the University Procedures by May 11, 2023, going live July 1, 2023
- Department/Division/School guidelines should be completed by Friday, December 1, 2023, going live July 1, 2024
- Encourage an iterative process and faculty involvement developing college/school/department/division guidelines

Timeline if adopted

- Newly hired or promoted faculty after the adoption date
- Faculty members who opt-out of the adopted University Procedures will have until the 2027-28 cycle to seek promotion under the existing (2014-15) University Procedures
- Beginning 2028-2029 the adopted University Procedures will apply to all faculty
- Please note: Annual faculty evaluations will follow unit guidelines, per normal practice