

## HEALTH SCIENCE CENTER HANDBOOK OF OPERATING PROCEDURES

Chapter 3	Faculty Policies and Procedures	Effective:	February 2000
Section 3.7	Policies and Procedures Regarding Tenure	Revised:	March 2013
<b>Policy 3.7.5</b>	<b>Comprehensive Periodic Evaluation of Tenured Faculty</b>	Responsibility:	Vice President for Academic, Faculty and Student Affairs

# COMPREHENSIVE PERIODIC EVALUATION OF TENURED FACULTY (TEXAS EDUCATION CODE SECTION 51.942)

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## Context

Under the revised Regents' [Rule 31102](#) on periodic performance evaluations, each institution in the UT System is required to adopt policies "providing for a periodic performance evaluation process for all tenured faculty", including annual reviews and comprehensive periodic evaluations. The policies may be in separate documents or a single document, but the policies should recognize that the two processes have different immediate purposes and that the processes and records should be distinct. Such policies "shall be developed with appropriate faculty input, including consultation with and guidance from faculty governance organizations, and shall be included in each institutional *Handbook of Operating Procedures* after review and appropriate administrative approval and submission to the Board of Regents for review and final approval."

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## Importance of Tenure

The Board of Regents recognizes 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. Academic disciplines thrive and grow through critical analysis of conventions and theories. Throughout history, the process of exploring and expanding the frontiers of learning has necessarily challenged the established order. That is why tenure is so valuable, not merely for the protection of individual faculty members but also as an assurance to society that the pursuit of truth and knowledge commands our first priority. Without freedom to question, there can be no freedom to learn.

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## Principles

The quality of faculty, the value of tenure, and the positive function of post tenure evaluation are strongly affirmed (so that 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).

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The review and evaluation process will be overseen by the responsible body or officer identified by the faculty body; however, it is understood that the President has ultimate responsibility for the process.

Individual faculty have the right to provide input during the process, to receive guidance for improvement, invoke standard appeal procedures, to meet with the review committee, and to submit additional materials.

Safeguards to protect due process and academic freedom are strongly affirmed.

Faculty committee evaluations should be given great weight and a chair or dean must articulate in writing, with a copy to the faculty member, the basis for any disagreement with a faculty committee evaluation.

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### **Policy**

The Board of Regents' *Rules and Regulations*, [Rule 31102](#), state that the purpose of any periodic evaluation is to:

1. provide guidance for continuing and meaningful faculty development;
2. assist faculty to enhance professional skills and goals;
3. refocus academic and professional efforts, when appropriate; and
4. assure that faculty members are meeting the responsibilities to the University and the State of Texas.

Inherent to the comprehensive periodic evaluation of tenured faculty is a joint responsibility between the administration and faculty to enhance and promote the quality and effectiveness in fulfilling the mission of The University of Texas Health Science Center at San Antonio and to provide for excellence in meeting the goals of the academic programs. In this context, it has applicability to all faculty members.

The comprehensive periodic evaluation of tenured faculty is based on the premise that a faculty member has previously demonstrated an

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exceptional degree of professional competence and scholarly achievement, as well as the attitudes and intellectual qualities that make the individual a desirable and continuing member of the faculty. Therefore, the purpose of the comprehensive periodic evaluation is to ascertain that a tenured faculty member continues to be of value to the School and institution in implementing its academic programs. Each faculty member should be judged in the context of his or her assigned responsibilities. These responsibilities, however, may not necessarily be the same as those upon which tenure was originally awarded.

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### **Process**

The University of Texas Board of Regents mandated that the periodic evaluation of tenured faculty shall be scheduled at six-year intervals following the initial year of being granted tenure so that five full academic years of performance will be reviewed. A comprehensive periodic evaluation may be deferred in circumstances when the review period coincides with approved leave of six months or more, or with Promotion, Tenure and Appointment Committee (PTAC) review for promotion, or appointment to an endowed position.

In the event of approved leave, adjustment of the evaluation schedule will provide a deferral of the evaluation one year from the original scheduled evaluation or will correspond to the length of the leave, if greater than one year. A PTAC review for promotion will supplant the PTE and the comprehensive periodic evaluation will resume five years after the date of promotion.

The initial evaluation shall be conducted by each academic department or School. Each department or School will elect from the full-time tenured faculty a minimum of three individuals to serve as a Post Tenure Evaluation Committee (PTEC). If there are too few tenured faculty members to form a PTEC, departments or Schools may combine to form a PTEC with the concurrence of the appropriate Chair(s) and Dean(s). It is the responsibility of the department or School to establish the procedure for electing the PTEC. The members of the PTEC will serve a three-year term with one-third of the committee rotating off each year.

Faculty members who are scheduled for periodic evaluation are not eligible to serve that year on the Committee. One additional tenured

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faculty member from outside of the department or School will serve on the PTEC. This member will be selected by the Chair or Dean to serve a term of one year.

Faculty members can anticipate scheduled reviews every six years from the initial year of being granted tenure so that the previous five full academic years of performance will be evaluated each time. The Chair (or Dean) will notify the faculty of their upcoming review at least six months in advance. It is important that the department or School provide the faculty member with adequate support services during this period of collection and preparation of the necessary documentation.

At the beginning of each academic year, the department Chair or Dean shall inform PTEC which faculty members are scheduled for PTE, so that the necessary materials can be submitted to the PTEC. PTE must be completed in the fiscal year timeframe that meets the stipulated notification period and institutional needs, usually by the second month of each year.

The department Chair or Dean shall provide the PTEC with the immediate past five years of the faculty member's annual performance evaluations, a synopsis of all teaching and other evaluations the faculty member received during that time period, and a statement delineating the faculty member's major responsibilities.

Any additional information that would aid in the evaluation should also be included. It is the responsibility of the faculty member to provide the following information to the PTEC:

1. Current Curriculum Vita (CV), and the signed CV verification statement; and
2. A statement supporting the fulfillment of major responsibilities with appropriate documentation.

Should a faculty member fail to provide the PTEC with this requisite information, and not qualify for deferral of the comprehensive periodic evaluation, the PTEC will evaluate the materials submitted and determine the faculty member's evaluation rating to be either "Fails to

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meet expectations” or “Unsatisfactory and the correspondent course of action will ensue.

A written report of the comprehensive periodic evaluation of tenured faculty with a rating and brief summary of supporting evidence will be forwarded by the PTEC Chair to the faculty member two weeks before it is sent to the respective department Chair, Dean and the Vice President for Academic, Faculty, and Student Affairs. The faculty member will be provided with the opportunity to meet with the PTEC upon request after the PTEC report is received.

### **Ratings**

The report will contain one of the following performance ratings:

- 1=Exceeds expectations
- 2=Meets expectations
- 3=Fails to meet expectations
- 4=Unsatisfactory

### **Judgment in Each Category of Evaluation**

This policy specifies below the general criteria for the different performance ratings for the institution as a whole and general provisions to assure institution-wide fairness. If further specification of criteria for each rating is provided by a department within the Health Science Center, the department should specify that criteria in writing with appropriate faculty input and obtain appropriate administrative approvals for the policy.

- Exceeds expectations should reflect a clear and significant level of accomplishment beyond what is normal for the institution, discipline, unit, faculty rank, and type of contractual expectations.
- Meets expectations should reflect a level of accomplishment in alignment with what is normal for the institution, discipline, unit, faculty rank, and type of contractual expectations.
- Fails to meet expectations should indicate a failure beyond what can be considered the normal range of year-to-year variations in

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performance, but of a character that appears to be subject to correction.

- Unsatisfactory means failing to meet expectations for the faculty member's institution, unit, rank, and contractual obligations, and doing so in a way that reflects disregard for previous advice or other efforts to provide correction or assistance, or involved prima facie professional misconduct dereliction of duty, or incompetence.

### **Actions**

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All documentation related to the PTEC review process will be maintained as a confidential file in the department or School. The PTEC Chair will deliver a written PTE report to the faculty member within 30 days of the PTEC review. Further, the PTEC Chair will send the report to the faculty member two weeks before it is sent to the Chair, Dean, and Vice President for Academic, Faculty, and Student Affairs and President.

#### Rating 1 Exceeds expectations

Action: The faculty member will be provided the opportunity to meet with the PTEC upon request. No further action required.

#### Rating 2 Meets expectations

Action: The faculty member will be provided the opportunity to meet with the PTEC upon request. No further action required.

#### Rating 3 Fails to meet expectations

Action: The faculty member will be provided the opportunity to meet with the PTEC upon request.

Faculty who receive a rating of "fails to meet expectations" will be expected to meet with the department Chair within 60 days of the date of the written PTEC report. The department Chair shall consult with the Dean to determine the appropriate course of action.

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If it is determined that performance indicates the faculty member would benefit from a remediation plan, a remediation plan will be developed to address the specific areas outlined in the PTEC report to have contributed to the rating. A copy of the written remediation plan reviewed and signed by the Chair and faculty member shall be forwarded to the Dean and the Vice President for Academic, Faculty, and Student Affairs within 30 days of the meeting with the Chair. Reevaluation by the Chair, in consultation with a peer committee, shall be at twelve and eighteen months from the date of the written PTEC report. If at any review, there is insufficient improvement, appropriate administrative action or disciplinary action may be taken.

### Rating 4 Unsatisfactory

Action: The faculty member will be provided the opportunity to meet with the PTEC upon request.

Faculty who receive a rating of “unsatisfactory” will be expected to meet with the department Chair within 60 days of the date of the written PTEC report. The department Chair shall consult with the Dean to determine the appropriate course of action.

If it is determined that performance indicates the faculty member would benefit from a remediation plan, a remediation plan will be developed to address the specific areas outlined in the PTEC report to have contributed to the rating. A copy of the written remediation plan reviewed and signed by the Chair and faculty member shall be forwarded to the Dean and the Vice President for Academic, Faculty, and Student Affairs within 30 days of the meeting with the Chair. Reevaluation by the Chair shall be at twelve and eighteen months from the date of the written PTEC report.

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### **Communication Of Results**

Results of the Comprehensive Periodic Evaluation of Tenured Faculty shall be communicated in writing in a confidential manner to the individual faculty member, the department Chair, the Dean, the Vice President for Academic, Faculty, and Student Affairs and the President

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for review and appropriate action in compliance with the timelines outlined in this policy.

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### **Use of the Evaluations**

- The evaluation may be used to determine salary recommendations, nomination for awards, or other forms of performance recognition.
- One or more evaluations of “exceeds expectations” may also provide a basis for recommending special honors or initiating consideration for promotion more rapidly than described in the university policy on promotion.
- An evaluation of “fails to meet expectations” and “unsatisfactory” may indicate that the faculty member could benefit from additional support, training or mentoring to address such teaching effectiveness, research or service expectations. Responses to an evaluation of “fails to meet expectations” may include adjustments of assigned duties. Such arrangements should be devised and instituted with agreement of the faculty member. However, if agreement cannot be reached, the Chair or Dean has authority to determine or institute such adjustments in conjunction with the faculty member’s supervisor, such as the department Chair who is responsible for recording and monitoring faculty performance. The faculty member’s progress toward meeting expectations following the additional support or adjustments and assigned duties shall be monitored through the annual evaluation process.
- When a tenured faculty member’s twenty-four month PTEC review remains at the “fails to meet expectations” or “unsatisfactory” level, the Chair or Dean may use the evaluation to develop recommendations for providing additional support for faculty improvement, or for instituting additional administrative action, including commencing the process for intensive administrative monitoring beyond the annual evaluation process, revocation of tenure, and/or termination of appointment.

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- For tenured faculty members for whom incompetence, neglect of duty, or other good cause is found, review to determine if good cause exists for termination of appointment and/or for revocation of tenured under the current Regents' *Rules and Regulations* shall be considered in accordance with due process procedures of the Regents' *Rules and Regulations*, [Rule 31008](#). If disciplinary action other than termination of appointment is considered appropriate, such faculty members shall have access to procedures that include notice of the specific charges and a hearing prior to the imposition of disciplinary action. Termination of appointment or other appropriate disciplinary actions, including revocation of tenure processes will be commenced and undertaken in accordance with the applicable Regents' *Rules and Regulations*.

### **Faculty Appeal of Decisions**

The Health Science Center grievance policy is applicable to these evaluations as appropriate. A faculty member may appeal the decision of the PTEC. All appeals must be made in writing to the Dean, the Vice President for Academic, Faculty, and Student Affairs and the President within ten (10) days of the date of notification of the PTEC findings. The basis of the appeal must be to emphasize some aspect of the faculty member's documentation, which the candidate feels was not properly represented or emphasized in the materials presented for review. Maintenance and submission of an accurate, up-to-date curriculum vitae is the responsibility of the individual faculty member. Recent accomplishments or other updates in a faculty member's curriculum vitae that occur after the established annual deadline for submission of materials for review may be considered in the appeals process and should be submitted with the letter requesting an appeal.

Within ten (10) days of receipt of a request for appeal, the Vice President for academic, Faculty, and Student Affairs (VP-AFSA), shall select five members from among the outside members appointed to that year's PTECs, excluding the outside member of the departmental or School PTEC that made the recommendation being appealed, to serve on the Appeals Committee. The VP-AFSA shall select one of the five members as Chair of the Appeals Committee to review the appeals request. The Chair of the Appeals Committee has ten (10) days from

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the date of appointment to convene the Appeals Committee and render a recommendation that the VP-AFSA may either accept or reject. Within ten (10) days of the Appeals Committee decision, the VP-AFSA shall inform the faculty member in writing and in a confidential manner regarding the outcome of the appeal. The VP-AFSA decision is final unless the faculty member appeals the decision to the President.

A faculty member whose request and appeal is denied by the Appeals Committee and confirmed by the VP-AFSA may appeal the decision to the President. All appeals must be made in writing, must request reconsideration of credentials, and must be filed within ten (10) days of the date of notification of decision of the VP-AFSA.

Within ten (10) days of receipt of a request for appeal, the President shall render a decision in writing. The decision of the President is final and the recommended plan of action will proceed accordingly.

**Termination or  
Other Appropriate  
Disciplinary  
Actions**

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For tenured faculty members for whom incompetence, neglect of duty, or other good cause is found, a review to determine if good cause exists for termination of appointment and/or for revocation of tenure under the current Regents' *Rules and Regulations* shall be considered in accordance with due process procedures of the Regents' *Rules and Regulations*, [Rule 31008](#). If disciplinary action other than termination of appointment is considered appropriate, the imposition of disciplinary actions will be commenced and undertaken in accordance with the applicable Regents' *Rules and Regulations*.

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