



### 3.7.5 Comprehensive Periodic Evaluation of Tenured Faculty

Chapter 3 - Faculty	Original Effective Date: February 2000
Section: 3.7 Policies and Procedures Regarding Tenure	Date Last Reviewed: March 2023
Responsible Entity: Vice President for Academic, Faculty and Student Affairs	Date Last Revised: March 2023

#### I. Purpose

This policy articulates the general processes pertaining to the comprehensive periodic evaluation of tenured faculty, pursuant to *Texas Education Code 51.043* and *Regents' Rule (RR) 31102*. In accordance with *RR 31102*, the purpose of any periodic evaluation is to "provide guidance for continuing and meaningful faculty development; assist faculty to enhance professional skills and goals; refocus faculty academic and professional efforts, when appropriate; and 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 institution's administration and faculty to enhance and promote faculty quality and effectiveness in fulfilling the institutional mission and to provide for excellence in meeting academic program goals.

#### II. Scope

This policy applies only to those faculty at the University of Texas Health Science Center at San Antonio (UT Health San Antonio) who have successfully been awarded tenure by The University of Texas System Board of Regents.

#### III. Policy

##### A. Background

##### 1. Importance of Tenure

- a. Under *Regents' Rule 31102* on the evaluation of tenured faculty, 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 process for annual performance reviews is articulated in separate procedural documents in alignment with each School's established expectations for all faculty.

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- b. 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.
- c. The comprehensive periodic evaluation of tenured faculty is based on the premise that a faculty member has previously demonstrated, through the attainment of tenure, an 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 maintaining the excellence of 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.

#### 2. Principles

- a. The quality of faculty, the value of tenure, and the positive function of post tenure evaluation are strongly affirmed, such that it is to be expected that the vast majority of faculty will be found through the comprehensive review process to meet or exceed expectations.
- b. The confidentially conducted 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.
- c. Individual faculty have the right to provide input during the process, receive guidance for improvement, invoke standard appeal procedures, meet with the review committee, and submit additional materials. The grievance policy is applicable as appropriate.
- d. Safeguards to protect due process and academic freedom are strongly affirmed.
- e. 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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#### B. Process

1. The University of Texas Board of Regents mandated that the comprehensive periodic evaluation of tenured faculty, i.e., post-tenure evaluation (PTE), shall apply to any faculty member awarded tenure.
  - a. Each faculty appointment period of five (5) full academic years of performance following tenure is the initiating point for a formal PTE.
  - b. An anticipated PTE may be deferred when the review period contains an approved leave period of six (6) months or more, a formal Promotion, Tenure and Appointment Committee review for promotion in rank, or appointment to certain endowed or leadership positions for which a periodic comprehensive administrative review better serves the performance evaluation purpose.
  - c. In the event of approved leave of six (6) months or more, the PTE schedule will be adjusted to defer the evaluation one year from the original scheduled PTE or correspond to the approximate length of the leave if greater than one (1) year.
  - d. Promotion in rank supplants the PTE which shall resume five (5) years after the effective date of promotion. For certain endowed or institutional leadership positions (e.g., chair, dean or vice president positions) for which evaluation bias or conflict of interest are inherent considerations, periodic comprehensive administrative review shall serve in lieu of PTE at the corresponding 5-year intervals
2. The faculty PTE shall be conducted by the primary appointing UT Health San Antonio School containing the faculty member's academic home. It is the responsibility of the School to establish written standards for Post Tenure Evaluation Committee (PTEC) formation and operations consistent with institutional policy. All PTEC members shall be tenured faculty members in the respective School and appointed to serve a three-year PTEC service term so that ideally one-third of the committee completes its service term each year.
3. The PTEC operations must include a quorum vote with rules for member recusal under circumstances of actual or potential conflict of interest. Faculty members scheduled for PTE shall not attend or contribute to the PTEC discussion or rating of their own performance. The School has the option for the PTEC chair and/or the supervising dean to select a tenured faculty member from another UT Health San Antonio School to serve a PTEC term when a representation need cannot be met by appointing a tenured faculty member from within that School.
4. Faculty members can anticipate scheduled PTE from the initial year of being granted tenure so that each PTE shall review the immediate past period comprising five (5) full academic years of performance. The academic home department chair and the faculty member due PTE has the responsibility to engage actively in the School's PTE process. When a School is structured without departments and

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department chairs, the School and its dean become the responsible parties for PTE purposes; thus, this policy shall be interpreted and applied accordingly.

5. A PTE process mechanism must be established to notify the faculty member at least six (6) months in advance of an upcoming PTE and to provide timely advance notice to the department chair about which departmental faculty members will be due PTE that fiscal year. Both the department chair and the notified faculty member have defined responsibilities in the PTE process. The PTE must be completed in the fiscal year timeframe that meets the stipulated notification period and the institutional and reporting requirements.
6. The department chair shall be responsible for providing the PTEC with the following materials relevant to the immediate past five (5) years that comprise the PTE period under review:
  - a. All of the faculty member's annual performance evaluations;
  - b. A synopsis of all teaching and other evaluations, and;
  - c. A list of the faculty member's major responsibilities.
7. It shall be understood that performance evaluations represent work performance quality, and that letters of support or similar additional materials from the department, school or peers are not sought and will not be considered in the PTE.
8. The faculty member shall be responsible for providing the PTEC with the following materials relevant to the immediate past five (5) years that comprise the PTE period under review:
  - a. Current curriculum vitae (CV) with a signed CV verification statement, and
  - b. A personal statement demonstrating how the faculty member has fulfilled their major responsibilities, with appropriate documentation included. The faculty member's professional narrative such as used in the UT Health San Antonio formal faculty promotion process may serve.
9. Neither the department chair nor the faculty member can prevent or postpone the PTE by failing to provide the PTEC with the requisite information by the review deadline. It should be anticipated that the PTE will be conducted based on the materials submitted and a standard rating notification and course of action will ensue.
10. All documentation related to the PTEC review process will be maintained as a confidential file in the department or School, consistent with established institutional policy
11. For each PTE conducted, the PTEC shall produce a separate written report comprising one of the standard performance ratings and a brief summary of PTEC commentary as rating justification. The PTEC report will be sent from the PTEC chair and/or an oversight authority so that both entities responsible for contributing PTE materials shall be confidentially informed within one (1) month of the PTEC concluding its deliberations. It may best serve to inform the department chair first

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so that the chair informs the faculty member. Whenever another leader or leaders, e.g., a division chief or administrative home director has major career supervisory responsibilities, the department chair shall inform and include such individuals accordingly

#### C. Ratings and Corresponding Actions

1. The Board of Regents specified the following general criteria for each of the four performance ratings and corresponding actions to be used by the institution with general provisions to assure institution-wide fairness. If further specification of criteria for each rating is provided by a department or institution, those criteria must be specified in writing with appropriate faculty input and obtain appropriate administrative approvals for the policy.
2. Upon completion of PTEC deliberations, the PTEC chair and/or sponsoring dean shall provide the academic home department chair a written report to which the academic home department chair and faculty member shall respond through written notice that the PTE decision was accepted as final or appeal of the PTEC decision is being requested. PTE materials and PTEC reports shall be made sequentially accessible to the School's dean, the vice president for academic, faculty and student affairs (VP-AFSA) and president in compliance with all policies and protocols of the PTE reporting and appeals' processes.

- a. Rating 1: Exceeds expectations reflects a clear and significant level of accomplishment beyond what is normal for the institution, discipline, unit, faculty rank, and type of contractual expectations.

Action: The faculty member shall be provided the opportunity to meet with the PTEC upon request. Written response to PTEC acknowledging the rating is final

- b. Rating 2: Meets expectations reflects a level of accomplishment in alignment with what is normal for the institution, discipline, unit, faculty rank, and type of contractual expectations.

Action: The faculty member shall be provided the opportunity to meet with the PTEC upon request. Written response to PTEC as required

- c. Rating 3: Fails to meet expectations indicates a failure beyond what can be considered the normal range of year-to-year variations in performance, but of a character that appears to be subject to correction.

Action: The faculty member shall be provided the opportunity to meet with the PTEC upon request. Within one (1) month of receiving the written PTEC report of this rating, the faculty member shall meet with the department chair to discuss the PTEC report of results, review PTE policy-stipulated action, and return written notice to the PTEC chair either accepting the PTEC decision as final or requesting appeal of the PTEC decision by coincident submission of

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the complete appeals' materials. The faculty member and the chair may separately or jointly appeal the PTEC decision.

- i. If no appeal is made, the faculty member and chair shall together delineate a written, measurable, and goal-based Performance Improvement Plan (PIP) within two (2) weeks. Should another leader, e.g., the division chief or administrative home director, hold primary career reporting and supervisory responsibilities regarding the faculty member's performance, that leader shall engage in the PIP development in alignment with the chair. Consultation with the dean or a tenure-related advisory body, such as the departmental Promotion, Tenure and Appointments Committee, may advise the Plan.
  - ii. A copy of the written plan shall be reviewed and signed by the chair and the faculty member, and upon request, shall be forwarded to the respective dean.
  - iii. Reevaluation by the chair or supervisory authority shall be documented at 6-month intervals for a 2-year period following the written PTEC report at which point formal PTEC evaluation shall be conducted. Insufficient improvement at any interval review indicates the PIP must be adjusted accordingly, and corresponding administrative or disciplinary action may be taken. The formal 24-month PTEC evaluation rating shall be handled accordingly.
- d. Rating 4: 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.

Action: The faculty member shall be provided the opportunity to meet with the PTEC upon request. Within one (1) month of receiving the written PTEC report of this rating, the faculty member shall meet with the department chair to discuss the PTEC report of results, review PTE policy-stipulated action, and return written notice to the PTEC chair either accepting the PTEC decision as final or requesting appeal of the PTEC decision by coincident submission of the complete appeals' materials. The faculty member and the chair may separately or jointly appeal the PTEC decision.

- i. If no appeal is made, the faculty member and chair shall together delineate a written, measurable, and goal-based Performance Improvement Plan (PIP) within two (2) weeks. Should another leader, e.g., the division chief or administrative home director, hold primary career reporting and supervisory responsibilities regarding the faculty member's performance, that leader shall engage in the PIP development in alignment with the chair. Consultation with the dean or a tenure-related advisory body, such as the

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departmental Promotion, Tenure and Appointments Committee, may advise the Plan.

- ii. A copy of the written plan shall be reviewed and signed by the chair and the faculty member, and upon request, shall be forwarded to the respective dean.
- iii. Reevaluation by the chair or supervisory authority shall be documented at 6-month intervals for a 2-year period following the written PTEC report at which point formal PTEC evaluation shall be conducted. Insufficient improvement at any interval review indicates the PIP must be adjusted accordingly, and corresponding administrative or disciplinary action may be taken. The formal 24-month PTEC evaluation rating shall be handled accordingly.

#### D. Communication of Results

PTE results and related actions shall be communicated in writing in a confidential manner to and by the individual faculty member, the department chair, the dean, the VP-AFSA and the president for review and correspondent action in compliance with the timelines outlined in this policy and all established protocol.

#### E. Faculty Appeal of Decision

1. Within one (1) month of the PTEC report to the chair, the faculty member and the chair may separately or jointly submit a written appeal requesting PTEC reevaluation of the PTE faculty candidate.
2. The appeal shall introduce solidly supportive evidence that a higher rating was deserved. The basis for any appeal must be to emphasize some aspect of the faculty member's documentation considered as not properly represented or emphasized in the original PTE materials. Maintenance and submission of an accurate, up-to-date curriculum vitae is the responsibility of the individual faculty member. To be considered in the PTE appeal process, recent accomplishments, or other updates in a faculty member's curriculum vitae that occurred after the established annual deadline for submission of materials for PTE review must be submitted as part of the written appeal.
3. The PTEC reevaluation and written response shall occur within one month of receipt of the written appeal. Within two (2) weeks of receiving the PTEC response to the appeal, the faculty member and chair shall return written notice to the PTEC chair either accepting the PTEC decision as final with a corresponding plan of action underway or affirming that an appeal of the PTEC results has been filed with the School's dean.

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4. Upon receipt of a request for PTE appeal, the dean shall orchestrate a standard and fair PTE appeals' process, which may include a PTEC as best serves, and within one (1) month, shall render a decision in writing.
5. The decision of the dean is considered final unless the faculty member appeals the decision to the VP-AFSA and/or president. Any appeal must be by written request for reconsideration of the PTE decision and filed within two (2) weeks of receipt of that decision.
6. Upon receipt of a request for appeal, the VP-AFSA and/or president shall orchestrate a standard and fair PTE appeals' process, which may include a PTEC as best serves, and within one month, shall render a decision in writing. The decision of the VP-AFSA and/or president is final, and the recommended plan of action will proceed accordingly.

#### F. Use of PTEC Results

1. As stated above per the *Board of Regents' RR 31102*, the PTE purpose is to provide guidance for continuing and meaningful faculty development; assist faculty to enhance professional skills and goals; refocus faculty academic and professional efforts, when appropriate; and assure that faculty members are meeting the responsibilities to the University and the State of Texas. Additional suggestions aligned with these purposes are:
2. PTE results may inform salary recommendations, nomination for awards, or other forms of performance recognition.
3. The PTE rating, "Exceeds expectations," can serve to underpin recommending special faculty honors or recognition.
4. A PTE rating of "fails to meet expectations" or "unsatisfactory" may indicate that the faculty member could benefit from additional support, training or mentoring to address teaching effectiveness, research, and/or service expectations, all of which shall be considerations in devising the PIP. The chair and faculty member shall agree on the PIP terms which may include adjustments to assigned duties. If agreement cannot be reached, the dean has authority to determine or institute such adjustments in conjunction with the faculty member's supervisor most responsible for recording and monitoring faculty performance. The faculty member's progress toward meeting expectations after instituting additional support or adjusting assigned duties shall be monitored at 6-month intervals in accordance with the PIP and through the annual evaluation process.
5. If a tenured faculty member's formal PTEC review at 24-months remains at the "Fails to meet expectations" or the "Unsatisfactory" level, the chair or dean shall use the evaluation to develop recommendations for providing additional support for faculty improvement, or instituting additional administrative or disciplinary action, including commencing a process for intensive administrative monitoring, revocation of tenure, and/or termination of appointment.



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#### G. Termination or other appropriate disciplinary actions

1. For tenured faculty members for whom incompetence, neglect of duty, or other ‘good cause’ might exist, a review to determine the evidence and whether termination of appointment and/or for revocation of tenure under the current Regents’ Rules and Regulations are considerations shall be instituted in accordance with due process procedures of the *Regents’ Rules and Regulations, Rule 31008*.
2. 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 University policies and *Regents’ Rules and Regulations*.

#### IV. Definitions

*When used in this document, the following words have the meaning set forth below unless a different meaning is required by context.*

Tenure – denotes a status of continuing appointment as a member of the faculty of UT Health San Antonio. Only members of the faculty with the academic titles of Professor, Associate Professor, or Assistant Professor may be granted tenure. Full-time faculty members who request appointment as part-time faculty will not be eligible to retain tenure status.

#### V. Related References

Texas Education Code (TEC) 51.942: Performance Evaluation of Tenured Faculty  
Regents’ Rule (RR) 31108: Termination of a Faculty Member  
Regents’ Rule (RR) 31102: Evaluation of Tenured Faculty

#### **Institutional Handbook of Operating Policies (IHOP)**

[3.7.1 UT Health San Antonio Tenure Policy](#)

[3.8.1 Termination and Reappointment of Faculty](#)

#### VI. Review and Approval History

- A. The approving authority of this policy is the University Executive Committee.
- B. The review frequency cycle is set for three years following the last review date, a time period that is not mandated by regulatory, accreditation, or other authority.

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<b>Effective Date</b>	<b>Action Taken</b>	<b>Approved By</b>	<b>Date Approved</b>
<b>02/2000</b>	Policy Origination		
<b>01/2021</b>	Policy Revision		
<b>03/2023</b>	Policy Revision	Executive Committee	03/2023