

FAQ's for the Policy on Annual Performance Reviews of Tenured Faculty

1. Why do we need this policy?

In Fall, 2008, a Task Force was appointed jointly by the Senate and the Provost to draft a policy that would implement a section of the Strategic Plan, Goal 3, concerning the University's reward system. Paragraphs C and D of Goal 3 seek to ensure that post-tenure review is carried out systematically and critically; that outstanding accomplishments will be rewarded; and that a fair and equitable mechanism for reducing compensation will be established for use when performance improvement goals that are set following an unsatisfactory post-tenure review are not subsequently met. In his charge to the Task Force, the provost also asked that the policy should lead to an implementation that is efficient, minimizes bureaucracy, and minimizes the time and effort needed to conduct the reviews.

2. What about our current policy on the Periodic Evaluation of Tenured Faculty?

We have a policy on the Periodic Evaluation of Tenured Faculty, requiring each tenured faculty member to be reviewed every five years, but in many departments and colleges it has fallen into disuse (if it was ever implemented). There are two reasons for this: (1) it is costly in terms of faculty time and effort, requiring the preparation of a report by the reviewee and a specially-convened departmental review committee, a burden on small units who have few people to serve on committees and a burden on large units who may have six or seven people to review each year; and (2) the results of the evaluation carry no significant consequences other than a discussion between the reviewee and the unit head, with a provision for drafting a development plan. Clearly, the current policy is not effective and does not speak to the goals of the Strategic Plan

3. How can an annual review of all tenured faculty be efficient? Isn't it a lot more work than a review every five years?

The proposed policy on Annual Performance Reviews is intended to be easier and more efficient, both for the unit and the reviewee. It seeks to make use of documents, committees, and review mechanisms that are already in operation (or should be), as provided in VII-4.00(A) UNIVERSITY OF MARYLAND POLICY ON MERIT PAY DISTRIBUTION. The Salary Committee may also serve as the Annual Review Committee and review faculty members' annual performance at the same time it is reviewing them for merit increases, thereby accomplishing two objectives through one review process.

Notification of the outcome can be made to each faculty member in the salary letter each year, or, since most faculty members will be at or above expectations, through a boiler-plate letter or check-off list.

4. Who sets the expectations for faculty performance?

Each academic unit must set its own standards and expectations, as they do for promotion and tenure. In most cases, faculty members already have an idea of what is expected of them in terms of scholarship, teaching, and service, and are performing well, but it is important to spell out expectations, and to make sure they are conveyed to all faculty members. The setting of expectations is not meant to be a “bean-counting” activity (expectations should not specify how many hours are to be spent on service or how many pages of research should be published), but it does provide a way to ensure that all faculty members know what is expected of them in the three areas under review, and to encourage continued productivity. It is unfair to judge performance if there are no accepted standards against which to judge it.

5. Why may expectations not be uniform, even within the unit?

Expectations should fit the situation and talents of the faculty member. In most cases, expectations will likely be the same or similar for all, but there are exceptions. For example, a person with significant administrative duties may have reduced expectations in the area of scholarship and teaching; a person on sabbatical may have enhanced expectations in scholarship and reduced expectations in teaching; a person nearing the end of a major grant may be accorded time from other activities to write a new grant proposal; a person who has just completed a major research project would be given an appropriate interval before being expected to produce new research; a person who has recently taught a large and demanding course may be assigned smaller classes or fewer courses; an illness or difficult family situation should be considered when setting the annual expectation of the person so affected. Many of these “expectations” are already current practice in the units, and it is a good idea to include them when the unit’s expectations are compiled.

In setting annual expectations, the unit should take account of its own needs and responsibilities, and the needs and skills of its faculty members. The aim is a productive faculty with each member pulling his/her own weight in the best way possible. Expectations should be equitable but not identical.

6. Does the faculty member have any say in the setting of expectations?

In most cases the setting of expectations will not be controversial, but if a faculty member feels that the expectations for him or her are unrealistic or unfair, or that there are extenuating

circumstances of which the unit head is unaware, the faculty member should speak with the unit head and together they should arrive at an agreed-upon set of expectations for the coming year.

7. What happens in the case of faculty with joint appointments?

As in the case of tenure and promotion, the secondary unit should be encouraged to supply information about expectations and about how well those expectations have been met. Ultimately, the tenure home is responsible for the Annual Performance Review.

8. What does “substantially below reasonable and equitable expectations” mean?

This is not a quantifiable term but it does indicate that performance, as measured against the unit’s agreed-upon standards, is obviously deficient, to a degree that is considered unacceptable if it were to continue. This does not pertain to an “off year” or to, say, below-average teaching evaluations (since there are, by definition, always people below average; although some attempts should be made to improve teaching).

“Substantially below reasonable and equitable expectations” pertains to the faculty member’s overall performance. It means that performance in all three areas is substandard; or, that performance in one area is so low that it is not offset by the performance in other areas.

9. Does the faculty member have any say in the development plan?

The development plan is the responsibility of the unit head, who may consult with the Annual Review Committee. The unit head should be encouraged to involve the faculty member in drafting it.

10. Does a faculty member have any recourse against proposed actions after a second negative Annual Performance Review, and especially after a negative review following a development plan if a salary reduction is recommended?

Decisions and actions resulting from this policy are grievable. See the Policies and Procedures Governing Faculty Grievances.

11. How many faculty members are likely to receive a reduction in salary under this policy? The estimate is no more than one or two faculty members in a given year in the entire university. Faculty members are given a minimum of three years to improve their performance before a reduction in salary could be recommended.

12. Is there a limit on the amount of a salary reduction? What happens to the money that is “saved” from such a reduction in salary?

Because there are likely to be so few cases of salary reduction, the amount is left to the discretion of the dean (or provost) responsible for implementing the recommendation. The amount should take into consideration the current value of the faculty member’s performance and his or her current salary.

The amount “saved” is likely to be so small that it did not seem worthwhile to include its disposal in the policy. One suggestion is that any funds that become available in this way be used to reward exceptional performance of other faculty members.

13. Is this policy a threat to the tenure system or to the tenure of individual faculty members?

No, if anything it offers a protection to the tenure system by ensuring and documenting that tenured faculty perform their duties at or beyond the level expected of them. This will show that very few of us are “dead wood.” In addition, it will also show that faculty can monitor their own performance and do not need outsiders to do so. The setting of performance standards and the review of faculty in terms of those standards should remain in the hands of the faculty.

Nor is this policy meant as a threat of suspension of or the withdrawal of tenure from an individual. Suspension and termination are covered in separate policies, and are triggered for causes other than those covered in this proposed policy. This policy does not contemplate the withdrawal of tenure from any faculty member.

14. Why is the policy not more specific in a number of instances?

The policy is intended to provide general principles and guidelines, not to be a manual of implementation procedures for every situation that may arise. It leaves room for our diverse units to implement the policy in ways compatible with their cultures and accepted modes of operation. This is the nature of policies.