Performance Evaluation of Faculty

1. All continuing faculty will be evaluated annually by their academic department or school. The evaluation, which covers the preceding calendar year, must be completed by March 1.

2. The purposes of annual faculty evaluation are to provide for self-development; to identify, reinforce, and share the strengths of faculty; to extend opportunities for continuous professional development; and to provide for identifying and strengthening the role of faculty members within their departments. The evaluation also provides information that may be used in tenure and promotion recommendations, in the awarding of performance and merit raises, and in decisions regarding the retention of faculty or of tenure itself.

3. This annual evaluation of continuing faculty is the responsibility of faculty governance, a duty shared by departmental chairs and departmental personnel committees.

4. Texas State University will not discriminate against any person in employment or exclude any person from participating in or receiving the benefits of any of its activities or programs on any basis prohibited by law, including race, color, age, national origin, religion, sex, disability, veterans’ status, or on the basis of sexual orientation or sexual identity. Equal employment opportunities shall include: personnel transactions of recruitment, employment, training, upgrading, promotion, demotion, termination, and salary.

Definitions

5. For the purposes of this document, the following definitions apply:

   a) Voting Personnel Committee members are tenured faculty members who: 1) hold academic rank in a department at a rate of 50% or more and who do not hold an administrative appointment outside of their College, 2) have at least one year of service at Texas State since the official start date of the faculty appointment, and 3) have taught eight sections of courses at the college/university level. Tenured faculty who meet only the first provision will serve as non-voting members of the Personnel Committee until they have met all three requirements.

   b) Schools have all the rights and obligations noted for departments, and school directors have all the rights and obligations noted for department chairs.
c) “Neglect of duty” means continuing or repeated substantial neglect of professional responsibilities. (Education Code, Section 51.942) See Attachment 1.

d) Continuing faculty are faculty employed on a FTE basis in an appointment with tenure, in a tenure-track appointment or in a nontenure line term appointment.

Departmental Policy

6. Each department will have a policy regarding the evaluation of faculty. The policy will include a definition of criteria and appropriate instruments, and it will specify the relative importance assigned to the various criteria for each major decision affecting faculty.

7. This policy will specify the sources upon which the chair and departmental personnel committee will base their judgments. Those sources may include a combination of evaluations suitable to the department, such as a self-evaluation by the faculty member; evaluations by administrators, peers, and students; evaluations from those outside the department and from other sources. Each policy will provide for an anonymous student evaluation of the teaching of all faculty at least once a year. Each policy will provide an explicit description of the level of performance necessary to meet departmental expectations. Expectations for tenured and tenure-track faculty normally should include clearly documented evidence of high quality teaching, sustained peer-reviewed scholarly/creative activity and sustained university and professional service. Expectations for continuing nontenure line faculty normally should include clearly documented evidence of high quality teaching, peer-reviewed scholarly/creative activity where applicable, and university and professional service where applicable. For those disciplines where applicable, external and internal funding activities, patents and/or commercialization of research may be considered. In addition, each policy will provide the opportunity for faculty members to review and add written comments to their own annual evaluations before they are placed officially in departmental personnel files or sent forward for performance and merit considerations or other actions, with the exception of faculty in their first year who are not reappointed.

8. This policy will be developed by a departmental committee that includes representatives from tenured faculty, continuing nontenure line faculty, and tenure track faculty, and it must be approved by the departmental personnel committee, the chair, the college dean, the Provost and Vice President for Academic Affairs and the University Attorney. The departmental chair is responsible for providing all faculty with a copy of the policy and assuring that it is fully implemented.

9. The policy must be reviewed, revised if necessary, and reapproved every three years. A Compliance Certification form must be completed and routed to the Office of the Provost and Vice President for Academic Affairs. (Attachment II).
Performance Evaluation and Tenure and Promotion

10. Annual departmental evaluations of faculty will form part of a faculty member’s file in tenure and promotion decisions.

11. Specific guidelines for evaluating tenure-track faculty are found in PPS 8.01, and policy and procedure for tenure and promotion are found in PPS 8.10. Laws of the State of Texas concerning the evaluation of tenured faculty are found in Education Code, Section 51.942, which is appended to this PPS. (Attachment I)

Retention, Performance and Merit

12. The annual departmental evaluation of faculty is the direct source of decisions regarding the retention of faculty and salary increases. In evaluating performance, the departmental personnel committee, chair, and college dean will consider the faculty member’s contributions in the context of departmental, college, and institutional needs and the faculty member’s assigned duties past performance and career path.

13. Faculty who meet departmental expectations as determined by the annual evaluation will be eligible for reappointment.

Failure of Nontenured Faculty to Meet Expectations

14. For tenure track or continuing nontenure line faculty a failure to meet departmental expectations will cause the department to consider whether reappointment is warranted. If the department determines that a nontenured faculty member is not to be retained, it will give appropriate notice to the Faculty Member. If the faculty member is to be retained, the chair will provide the faculty member with specific written suggestions for improvement.

Failure of Tenured Faculty to Meet Expectations

15. Determining failure to meet expectations

   a) After the regular annual evaluation of faculty is complete, if the department process finds that a faculty member may have failed to meet departmental expectations, the chair will inform the affected faculty member in writing and invite the faculty member to meet and discuss the evaluation. This notice should be given within three class days from completion of the annual evaluation. The meeting between the chair and the faculty member should be conducted within six class days after the faculty member receives the chair’s written notification. If the faculty member chooses not to meet with the chair, the faculty member should notify the chair in writing within the six-day period. The faculty member’s failure to respond does not prevent the process from moving forward but may constitute grounds for a charge of insubordination.

   b) After discussing the evaluation with the faculty member, if the chair still finds that the faculty member may have failed to meet departmental expectations, the chair will call a special meeting to
present this finding to the departmental personnel committee. This meeting should take place no sooner than three and no later than six class days after the chair's meeting with the faculty member. The faculty member's failure to meet with the chair does not prevent the process from moving forward.

c) The chair will present the evaluation and its supporting documentation to the personnel committee. The affected faculty member may be present, may address the personnel committee, and may provide additional evidence related to his or her performance.

d) The personnel committee will discuss the evidence provided by the chair and the faculty member. The faculty member will not be present during this discussion; the chair will preside in a non-voting capacity. The personnel committee will choose a recorder who is responsible for minutes of the deliberations.

e) The personnel committee may decide to gather additional information before making a judgment on the faculty member's performance. Such additional information, if required by the personnel committee, should be provided and the personnel committee should reconvene and make its decision within ten class days after the first personnel committee meeting regarding the issue.

f) When it has gathered relevant information, the personnel committee will vote by secret ballot as to whether the faculty member has performed to departmental standards. The affected faculty member will not be present for the vote. A finding of nonperformance requires the vote of a majority of the members of the personnel committee present at the meeting excluding the chair and the affected faculty member. The chair must concur in a finding of nonperformance. If the faculty member is determined to be nonperforming the development will place him or her on a professional development plan.

g) If the faculty member is judged to have performed below expectations, the chair and faculty member, in consultation with the personnel committee, will design a Professional Development Plan to help the faculty member meet departmental expectations in the future. The personnel committee recorder will initiate PPS 8.09, Form No. 1, which will include a record of the vote and a list of the faculty voting, then forward it to the chair. The chair will forward the tracking form, the record of the vote, list of voters, the chair's recommendation, and a copy of the Professional Development Plan to the dean of the college within ten class days of the vote.

h) Within six class days, the college dean should approve or disapprove the departmental finding that the faculty member has failed to meet expectations. If the dean approves the departmental finding, he or she should review and approve the proposed Professional Development Plan within the same six class days. If the dean does not approve the finding of failure to meet expectations, the faculty member shall be considered to be meeting departmental performance expectations.
Calendar for Determining Failure of Tenured Faculty to Meet Expectations during the Annual Evaluation Process*

March 4    Annual evaluation finds faculty member may have failed to meet expectations and delivers written notification to the affected faculty member within three class days after completion of evaluation process.

March 8-12 Spring Break

March 19    Chair meets with affected faculty member within six class days after written notification.

March 25-29 Personnel committee meets to discuss faculty member's performance no later than six class days after chair's meeting with faculty member.

April 8     Personnel committee forwards recommendation regarding faculty member's performance to department chair within ten class days after initial personnel committee meeting regarding faculty member's performance.

April 22    Chair sends departmental recommendation, tracking form, and Professional Development Plan to the college dean within ten class days after the personnel committee vote.

April 30    College dean notifies the faculty member and the chair of his or her decision within six class days after receiving the departmental recommendation and supporting materials.

* The dates for completion of the various steps of the post-tenure review process are flexible rather than rigid and are designed to indicate a suggested pace of the process to assure completion by semester's end.

Professional Development Plan

16. The Professional Development Plan, created by the chair and the faculty member in consultation with the personnel committee will be designed to remedy the faculty member's specific performance deficiencies. The plan may allow for mentoring by other faculty members from within or from outside the department. Normally, mentoring will occur at the faculty member's discretion, although the chair and the dean may require mentoring as a part of this plan. In either case, a reasonable effort should be made to assure that anyone asked to serve as a mentor can undertake these responsibilities in a collegial manner.

   a. the identification of the specific deficiency or deficiencies to be remedied,
   b. the specific goals the faculty member must achieve in order to meet departmental expectations,
c. the specific activities a faculty member must undertake to reach those goals,
d. a precise method of determining the annual progress or lack of progress toward meeting those goals, as well as any other special processes for providing feedback to the faculty member between annual evaluations and
e. a list of the institutional resources, if any, to be committed to support the faculty member's development plan. The list may include, but need not be limited to, providing the faculty member with materials, equipment, and classroom space to properly teach his or her class as well as reasonable travel allowances to attend workshops or conferences that would facilitate the faculty member's improvement. However, a reasonable effort on the part of the University does not require any special provision of resources.

17. First Annual Evaluation Under the Professional Development Plan
Once a Professional Development Plan has been implemented, the faculty member will be evaluated during the following two regular, annual departmental evaluation cycles. The annual evaluation will determine progress toward meeting the specific goals established in the Professional Development Plan.

a) After the evaluation process is complete, if the chair believes that the goals of the plan have been achieved and that performance meets departmental expectations, the chair will inform the faculty member, the personnel committee and the college dean in writing that the affected faculty has met departmental expectations and is no longer subject to the provisions of the Professional Development Plan. This notice should be given within three class days.

b) If the chair does not think the faculty member has fulfilled the goals of the Professional Development Plan and still fails to meet departmental expectations, the following procedures will be followed:

1. Within three class days the chair will give written notice to the affected faculty member and invite the faculty member to meet and discuss the evaluation and the lack of progress toward meeting the Professional Development Plan. The meeting between the chair and the faculty member should be conducted within six class days after the faculty member receives the chair's written notification. If the faculty member chooses not to meet with the chair, the faculty member should notify the chair in writing within the same six-day period. The faculty member's failure to respond does not prevent the process from moving forward but may constitute grounds for a charge of insubordination.

2. After discussing the evaluation with the faculty member, if the chair still finds that the faculty member may have failed to fulfill the goals of the Professional Development Plan and may still fail to meet departmental expectations, the chair will call a special meeting to present this finding to the department's personnel committee. This meeting should take no later than six class days after the chair's meeting with the
faculty member. The faculty member's failure to meet with the chair does not prevent the process from moving forward but may constitute grounds for a charge of insubordination.

3. The chair will present the recommendation of nonperformance and its supporting documentation to the personnel committee. The affected faculty member has the right to be present, to address the personnel committee, and to provide additional evidence related to his or her performance.

4. The personnel committee will discuss the evidence provided by the chair and the faculty member. The faculty member will not be present during this discussion; the chair will preside in a non-voting capacity. The personnel committee will choose a recorder who is responsible for informing the chair about their deliberations.

5. After considering the evidence, the personnel committee will vote by secret ballot to confirm that a faculty member has not performed to departmental standards and should remain in a Professional Development Plan. The affected faculty member will not be present for this vote.
   1. A finding of nonperformance requires a majority of all members of the personnel committee, excluding the chair and the affected faculty member.
   2. The faculty member will be considered as having failed to meet expectations only if there is concurrence between the chair and personnel committee. If the faculty member is judged to have met departmental expectations, he or she is no longer subject to the provisions of the Professional Development Plan.
   3. The chair will inform the faculty member in writing of the department's judgment within three class days of the personnel committee meeting.
   4. If the faculty member is to remain on the Professional Development plan for an additional year, the faculty member may request specific amendments to the Professional Development Plan. Such amendments may be incorporated into the plan if the chair and if the personnel committee agree.

6. If the faculty member is judged to have performed below expectations, the recorder will initiate PPS 8.09 Form No. 2, which will contain a record of the vote and a list of the faculty voting and forward it to the chair. The chair will forward this tracking form, the chair's recommendation, the original or amended Professional Development Plan, the departmental performance standards, and the two most recent annual evaluations with all supporting material related to those evaluations to the dean of the college within three class days. Within the same three days, the chair will notify the affected faculty member of the department's
recommendation. The faculty member may also submit additional, relevant material to the college dean.

c) The college dean will call a special meeting of the College Review Group within six class days after receiving the departmental recommendation and supporting documents. The following procedure will be followed:

1. The dean will provide the College Review Group with all the documentation regarding the faculty member's performance, including the departmental tracking sheet, the departmental performance standards, the faculty member's Professional Development Plan, the two most recent annual evaluations with all supporting materials related to those evaluations, all documents developed by the departmental personnel committee, and all materials supplied by the affected faculty member.

2. Before the College Review Group meets, the dean will remind the faculty member of the opportunity to submit additional, relevant material for review.

3. The College Review Group will vote to approve or disapprove the judgment made at the departmental level, using the same procedure it would in reviewing a candidate for tenure and promotion. A College Review Group vote supporting the departmental evaluation of nonperformance requires a majority vote. The College Review Group's vote and recommendation will be forwarded to the college dean.

4. Within six class days after receiving the recommendation of the College Review Group, the college dean will make a recommendation and forward the case to the Provost and VPAA, along with relevant documentation. The dean will notify the faculty member and the department chair of the recommendation. The Provost and VPAA will accept or reject the recommendation of the college dean and will notify the affected faculty member, the dean, and the department chair within ten class days. Maintaining the anonymity of the faculty member to the fullest extent permitted by Texas law, the Provost and VPAA will simultaneously notify the Faculty Senate of the action taken.
Calendar for First Annual Evaluation Under the Professional Development Plan*

March 4  Annual evaluation finds faculty member may have failed to meet expectations and delivers written notification to the affected faculty member within three class days after completion of evaluation process.

March 8-12  Spring Break

March 19  Chair meets with affected faculty member within six class days after written notification.

March 25-29  Personnel committee meets to evaluate the faculty member’s performance and make a recommendation to the chair no sooner than three and no later than six class days after chair meets with faculty member.

April 1  Chair sends departmental recommendation, tracking form, Professional Development Plan, and other supporting materials to the college dean; the chair informs the faculty member of the departmental recommendation within three class days after the personnel committee vote.

April 9  College dean convenes College Review Group within six class days after the dean receives departmental recommendation.

April 19  College dean notifies the Provost and VPAA, department chair and faculty member of his or her recommendation within six class days after dean receives College Review Group recommendation.

May 3  Provost and VPAA notifies the affected faculty member, the dean, the department chair, and the Faculty Senate of decision within ten class days after Provost and VPAA receives dean’s recommendation.

* The dates for completion of the various steps of the post-tenure review process are flexible rather than rigid and are designed to indicate a suggested pace of the process to assure completion by semester’s end.

18. Second Annual Evaluation Under the Professional Development Plan

In the second year of the Professional Development Plan, the faculty member will be evaluated during the regular, annual departmental evaluation cycle. The evaluation will determine progress toward meeting the specific goals established in the Professional Development Plan.

a) The same procedures will be used in this evaluation as were used in Section 16, subsection b, numbers 1-5c.

b) If the department finds that the faculty member has met the goals of the Professional Development Plan, the faculty member will be
judged to have met departmental expectations and will no longer be subject to the provisions of the Professional Development Plan.
c) If the faculty member is judged to have performed below expectations, the chair will sign PPS 8.09 Form No.3, which will contain a record of the vote and a list of the faculty voting. The chair will forward this tracking form, the chair's recommendation, the original or amended Professional Development Plan, the departmental performance standards, and the three most recent annual evaluations with all supporting material related to those evaluations to the dean of the college within three class days. The chair of the department will notify the faculty member within the same period, and the faculty member may submit additional, relevant material to the college dean.
d) The college dean, will call a special meeting of the College Review Group within six class days. The following procedure will be followed:

1. The dean will provide the College Review Group with all documentation regarding the faculty member's performance, including the departmental tracking sheet, the departmental performance standards, the faculty member's Professional Development Plan, the three most recent annual evaluations with all supporting materials related to those evaluations, all documents developed by the departmental personnel committee, and all materials supplied by the affected faculty member.

2. Before the College Review Group meets, the dean will remind the faculty member of the opportunity to submit additional, relevant material for review.

3. The College Review Group will vote to approve or disapprove the judgment made at the departmental level, using the same procedure it would in reviewing a candidate for tenure and promotion. A College Review Group vote supporting the departmental evaluation of nonperformance requires a majority vote. The College Review Group's vote and recommendation will be forwarded to the college dean.

4. Within six class days after receiving the recommendation of the College Review Group, the college dean will make a recommendation and forward the case to the Provost & VPAA along with PPS 8.09 Form No.3 and the relevant documentation. Simultaneously, the dean will notify the faculty member and the department chair of the recommendation. The Provost and VPAA will accept or reject the recommendation of the college dean and notify the affected candidate, the dean, and the department chair within ten class days. Maintaining the anonymity of the faculty member to the fullest extent of the law, the Provost and VPAA will simultaneously notify the Faculty Senate of the action taken.
Calendar for Second Annual Evaluation under the Professional Development Plan

Action

March 4 Annual evaluation finds faculty member may have failed to meet expectations and delivers written notification to the affected faculty member within three class days after completion of evaluation process.

March 8-12 Spring Break

March 19 Chair meets with affected faculty member within six class days after written notification.

March 25-29 Personnel committee meets to evaluate the faculty member's performance and make a recommendation to the chair no sooner than three and no later than six class days after chair meets with faculty member.

April 1 Chair sends departmental recommendation, tracking form, and Professional Development Plan to the college dean; chair informs the faculty member of the departmental recommendation within three class days after the personnel committee vote.

April 9 Dean convenes College Review Group within six class days after receiving departmental recommendation.

April 19 College dean notifies the Provost and VPAA, department chair and faculty member of his or her recommendation within six class days after receiving College Review Group recommendation.

May 3 Provost and VPAA notifies faculty member, dean, department chair, and Faculty Senate of his decision within ten class days after receiving dean's recommendation.

* The dates for completion of the various steps of the post-tenure review process are flexible rather than rigid and are designed to indicate a suggested pace of the process to assure completion by semester's end.

19. Dismissal or other Appropriate Disciplinary Action for Non Performance

Any faculty member who has received three negative annual performance evaluations, the second and third of which must have been confirmed by the Provost and VPAA in the manner specified in sections 16, c. (4) and 17 d. (4) above, may be considered for dismissal or other appropriate disciplinary action. The decision to dismiss or discipline must be based on the standard of incompetency, neglect of duty or other good cause as provided for in Education Code, Section 51.942 (See Appendix, (C)(5) ) Except that nothing herein shall preclude a “For Cause” termination (at any time in this process) under the Texas State University System Rules and Regulations.
a) The chair will call a special meeting of the departmental personnel committee within six class days after receiving the Provost and VPAA's decision to discuss the appropriate disciplinary action to be taken against the faculty member. The recommendation must include a summary statement of the grounds for the dismissal or disciplinary action.

b) The affected faculty member may provide additional evidence related to his or her performance and may also address the personnel committee before a vote is taken.

c) After considering the evidence, the personnel committee will vote by secret ballot. A recommendation of dismissal or other appropriate disciplinary action requires a two-thirds majority of all members of the departmental personnel committee, excluding the chair and the affected faculty member. The recorder for the personnel committee will initiate and sign PPS 8.09 Form No. 4, which will include a record of the vote and a list of the faculty voting. If the chair agrees with the recommendation of the personnel committee, he or she signs the recommendation and forwards the recommendation to the college dean within three class days after the vote.

d) If the dean concurs with the department's recommendation for dismissal or other appropriate disciplinary action, the case is forwarded to the Provost and VPAA. If the dean disagrees with the department's recommendation, the faculty member will remain under a development plan for an additional year.

1. After this additional year under the development plan the chair may again submit a recommendation to the personnel committee for dismissal or other appropriate disciplinary action if he or she believes it is warranted.

2. This process may be repeated as necessary until a faculty member is determined by the chair and the departmental personnel committee to be performing at expected levels or has been dismissed.

3. The Provost and VPAA should accept or reject the recommendation of the college dean and notify the affected faculty member by May 31. Maintaining the anonymity of the faculty member to the fullest extent permitted by Texas Law, the Provost and VPAA will simultaneously notify the Faculty Senate of the action taken.

4. In the event of a conflict between this policy and the Texas State University System Rules and Regulations, the latter shall govern; in the even of a conflict between this policy /the System Rules and Regulations and Education Code, Section 51.942, the latter shall govern.
Calendar: Dismissal or other Appropriate Disciplinary Action for Nonperformance

Action

May 11  Chair convenes department personnel committee to consider dismissal or discipline within six class days after receiving the Provost and VPAA's decision regarding performance.

May 14  Chair sends departmental recommendation and tracking form to college dean within three class days after personnel committee meeting.

May 19  Dean sends recommendation to consider dismissal or discipline to Provost and VPAA within three class days after receiving departmental recommendation.

May 31  Provost and VPAA sends notification of decision to faculty member, dean, department chair, and Faculty Senate within the timetable specified for tenure and promotion decisions

*The dates for completion of the various steps of the post-tenure review process are flexible rather than rigid and are designed to indicate a suggested pace of the process to assure completion by semester's end.

CERTIFICATION STATEMENT

20. This PPS has been approved by the reviewer listed below and represents Texas State's Division of Academic Affairs policy and procedure from the date of this document until superseded.

Review Cycle: _________________  Date_____________________

Review Date: _________________  Date_____________________

Approved: _________________  Date: ______________________

Gene Bourgeois
Provost and Vice President for Academic Affairs

Texas State University
Provost and Vice President for Academic Affairs
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