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#09.33

Appendix B

March 1, 2010

Dr. Alan Mabe  
Senior Vice President for Academic Affairs  
UNC General Administration  
PO Box 2688  
Chapel Hill, NC 27514

Dear Alan:

Apparently ECU failed to submit our revised post-tenure review policy after its approval by the ECU Board of Trustees on November 20, 2009. I apologize for the confusion.

On behalf of Chancellor Ballard and the ECU Board of Trustees, I submit the enclosed document entitled "Policy for Performance Review of Tenured Faculty of East Carolina University" for your review. This revision responds to the May 13, 2009 letter from Dr. Harold Martin, and we believe appropriately addresses required issues delineated in the letter.

Thank you for your thoughtful consideration, and we look forward to President Bowles' approval of ECU's revised post-tenure review policy.

If you have questions or need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Matilyn Sheerer".

Matilyn Sheerer

Provost and Senior Vice Chancellor  
for Academic and Student Affairs

Enclosure: "Policy for Performance Review of Tenured Faculty of East Carolina University"

cc: Chancellor Steve Ballard

✓ cc: *Marinna Walker*  
*Chair of Faculty*

*ECU Faculty Manual*  
APPENDIX B  
**POLICY FOR PERFORMANCE REVIEW OF TENURED FACULTY  
OF EAST CAROLINA UNIVERSITY**

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**POLICY FOR PERFORMANCE REVIEW OF TENURED FACULTY  
OF EAST CAROLINA UNIVERSITY**

I. Preamble

On May 16, 1997, the Board of Governors mandated the review of performance of tenured faculty in the University of North Carolina system. This review, defined as the comprehensive, formal, periodic evaluation of cumulative faculty performance, has the purposes of ensuring faculty development and promoting faculty vitality. The June 24, 1997, Administrative Memorandum #371 from the General Administration of the UNC System required each constituent institution to create a policy that examines individual faculty contributions to departmental, school/college, and university goals as well as to the academic programs in which faculty teach. Guidelines mandate that the process shall recognize and reward exemplary faculty performance; provide for a clear plan and timetable for improvement of performance of faculty found deficient; and, for those whose performance remains deficient, provide for the possible imposition of appropriate sanctions or further action, including discharge. Further guidelines direct individual institutions to show the relationship between annual review and performance review, examine faculty performance relative to the mission of the unit and the university, include a review no less frequently than every five years, explicitly involve peers in the review process, assure written feedback as well as a mechanism for faculty response to the evaluation, and require individual development plans for all faculty receiving less than satisfactory ratings in the performance review.

On March 10, 2008, the UNC Board of Governors revised its *Guidelines on Performance Review of Tenured Faculty* (The UNC Policy Manual: 400.3.3.1(G)).

East Carolina University's Policy for the Performance Review of Tenured Faculty meets the revised guidelines of the University of North Carolina General Administration and is consistent

with East Carolina University's Faculty Manual and The Code of the University. This policy does not create a process for the reevaluation or revalidation of tenured status. The basic standard for appraisal and evaluation is whether the faculty member under review discharges conscientiously and with professional competence the duties associated with his or her position. Furthermore, the policy is created with the widespread presumption of competence on the part of each tenured faculty member. The performance review for a faculty member must reflect the nature of the individual's field or work and must conform to fair and reasonable expectations as recognized by faculty peers in each department and discipline. The review must be conducted in a manner free of arbitrary, capricious, or discriminatory elements and must follow these agreed-upon procedures.

## II. Description of Policy

### A. Timing

At five-year intervals, beginning with academic year 1998-1999, each permanently tenured faculty member shall have a review of all aspects of his or her professional performance during the review interval. A review leading to promotion in rank qualifies as a performance review. A faculty member granted permanent tenure shall be reviewed within five years of the granting of tenure. Probationary-term faculty members are excluded because other review mechanisms exist to evaluate their performance. Unit\* administrators, deans, and administrators at the division or university level shall be excluded from this policy. After returning to full-time teaching/research responsibilities, administrators shall be evaluated in their fifth year and following five-year intervals.

Each academic unit's tenure committee shall decide whether all of its tenured faculty will be reviewed in the same year or whether its tenured faculty will be reviewed according to a serial plan. Those units choosing a serial plan shall also determine the method of serialization.

### B. Performance Standards for the Review

For the cumulative review of performance for the five-year period, the unit's Tenure Committee shall review current standards of "exemplary," "satisfactory," and "deficient" performance and revise as necessary. These standards will comply with the provisions of Appendix C, Section I, C and D of the *ECU Faculty Manual*, the unit's code provisions, and the primacy of teaching/advising within the UNC system institutions. These standards should be consistent with changing goals of the unit and the university, while also considering varying expectations at the time of the granting of permanent tenure for individual faculty members and should address the faculty member's teaching, research, service and other duties, including contributions to the departmental college/school and university goals, contributions to the academic programs in which the faculty member teaches and any other professional activities bearing on the faculty member's performance of his or her duties during the period under review.

The Tenure Committee shall submit the proposed standards to the unit administrator for concurrence or nonconcurrence. At that point, two possible actions may occur. (1) If the unit administrator concurs, he or she shall forward the standards to the next higher administrator. If the next higher administrator does not agree with the standards developed by the Tenure Committee and concurred with by the unit administrator, every effort (including discussion and negotiation) shall be made to resolve the disagreement. If the effort fails, the matter shall be referred to the next higher administrator who may accept the standards or return them for revision. (2) When the unit administrator and Tenure Committee disagree, every effort (including discussion and negotiation) shall be made to resolve the disagreement within the unit. If the effort fails, the matter shall be referred to the next higher administrator who may accept the

standards or return them for revision. In either case, any amendment to these standards must be approved by a vote of at least 2/3 of the Tenure Committee and follow the same process for initially proposed standards.

C. Performance Review Committee (PRC)

The Tenure Committee will elect a minimum of three faculty members and one alternate from the permanently tenured voting faculty (*ECU Faculty Manual*, Appendix L, Section A. Voting Faculty Member) not holding administrative status to serve on the Performance Review Committee. The alternate shall serve when a member is unable to serve. Members on the Performance Review Committee shall serve for one academic year.

When a unit is unable to elect three permanently tenured voting faculty members not holding administrative status, the next higher administrator above the unit level shall appoint permanently tenured voting faculty not holding administrative status from other units to increase the committee's membership to three members and one alternate. These appointments to the committee must be from one list of candidates selected by a vote of the permanently tenured and probationary-term faculty of the unit. The list forwarded to the next higher administrator by the appropriate faculty will contain at least twice the number of faculty members required to complete the membership of the committee. Before voting on the list to be forwarded to the next higher administrator, the voting faculty will ascertain that faculty members nominated to have their names placed on the list are willing and able to serve in this important capacity. The list of faculty names recommended to the next higher administrator may not be returned for revision.

D. Review Process

Performance Review of Tenured Faculty shall cover all aspects of the faculty member's professional performance. The review will be informed by the faculty member's annual reports and annual evaluations (*ECU Faculty Manual*, Appendix C, Section III. Evaluations), but primarily shall be based on a comprehensive assessment of the faculty member's teaching, research, service and other duties, including contributions to the departmental college/school and university goals, contributions to the academic programs in which the faculty member teaches and any other professional activities bearing on the faculty member's performance of his or her duties during the period under review. Permanently tenured full-time faculty members who have received University approved leaves of absence shall not have such leave time counted as part of the performance review period.

Should a subsequent academic unit administrator disagree with the annual reviews and annual reports of an individual faculty member composed before the term of office of the incumbent administrator, the administrator shall not dismiss, alter, or argue against the body and conclusions of the earlier annual reviews and reports.

The initial review shall be conducted by the unit administrator who, using the attached Form, shall prepare a performance review report which shall consist of a narrative evaluation of the overall performance of the candidate that takes into account the relative weights assigned to each duty during each of the years being reviewed and the amount of reassigned time from teaching to the performance of other duties for each year under review. This evaluation shall conclude with an overall ranking that categorizes each faculty member's performance as exemplary, satisfactory, or deficient. A negative review must include a statement of the faculty member's primary responsibilities and specific descriptions of shortcomings as they relate to the faculty member's assigned duties.

The evaluative report, together with the faculty member's annual reports and annual performance evaluations for the period under review, a copy of the faculty member's current curriculum vita, and any other material the faculty member wishes to provide to the review committee in support of his/her professional performance over the review period, shall be forwarded to the Performance Review Committee. Any additional supporting material provided by the faculty member to the Performance Review Committee shall become part of the permanent personnel file. For each faculty member, the Performance Review Committee shall either agree or disagree with the findings of the unit administrator.

When the unit administrator and the Performance Review Committee agree, the Performance Review Committee shall report this agreement on the Form. The unit administrator shall provide a copy of the report to the faculty member and to the next higher administrator, and place a copy of the report in the faculty member's personnel file.

When the unit administrator and Performance Review Committee disagree, every effort (including discussion and negotiation) shall be made to resolve the disagreement within the unit. If the effort to resolve the disagreement fails, the Performance Review Committee shall prepare its own report. The unit administrator shall provide copies of both reports to the faculty member and the matter will be referred to the next higher administrator, who after reviewing both reports and the faculty member's supporting materials, shall make the final decision, which shall be reported in writing to the faculty member. A copy of the final decision shall be placed in the faculty member's personnel file and provided to both the Performance Review Committee and the unit administrator.

A faculty member may provide the unit administrator with a written response within 20 calendar days of receiving his or her performance review. A copy of the faculty member's response will be placed in the faculty member's personnel file and provided to the Performance Review Committee. A faculty member's response to a negative review will also be shared at the next highest administrative level.

#### E. Rewards

The first priority of the revised UNC Guidelines on Performance Review of Tenured Faculty is that faculty whose performance review reflects exemplary performance shall be recognized and rewarded. A faculty member whose review reflects exemplary performance may be recognized in ways including, but not limited to, nomination for awards, merit salary increases, research leaves, and/or revisions of work load. Additional support for this form of recognition may be provided by the department, school, college or division.

#### F. Reconsideration

A faculty member whose review process determines a deficient performance level shall have the opportunity to respond within 20 calendar days. The faculty member may request that the unit administrator and Performance Review Committee reconsider the evaluation based on additional substantive information provided by the faculty member. In reconsidering the evaluation, the unit administrator and Performance Review Committee shall have the opportunity to nullify, modify, or reconfirm the original evaluation (or evaluations, in the case of disagreement between the committee and the unit administrator). The response of the faculty member to the report of deficient performance and the decision of the committee and the unit administrator shall be reported to the next higher administrator.

When the committee and the unit administrator disagree on the appropriate action after a reconsideration initiated by the faculty member under review, every effort (including discussion and negotiation) shall be made to resolve the disagreement within the unit. If the effort fails, the conflicting responses to the reconsideration appeal by the faculty member under review shall be referred to the next higher administrator for final decision.

The final decision of a higher administrator shall be reported in writing to the faculty member and a copy of the final decision shall be placed in the faculty member's personnel file and provided to both the Performance Review Committee and the unit administrator.

#### G. Faculty Development Plan

A faculty member whose performance review reflects deficient performance shall negotiate a formal development plan with the Performance Review Committee and the unit administrator. The development plan must: (a) identify specific shortcomings as they relate to the faculty member's performance of his or her assigned duties; (b) state any modification of duties due to a less than satisfactory rating and take into account the new allocation of responsibilities; (c) include specific steps designed to lead to the required degree of improvement; (d) specify a time line, not to exceed three academic years, in which improvement is expected to occur; (e) schedule and require written records of progress meetings between the faculty member, the unit administrator and the chair of the Performance Review Committee at regular intervals no less frequently than twice each academic term; (f) state the consequences for the faculty member should improvement not occur within the designated timeline. The use of mentoring peers is encouraged.

The description of specific steps designed to lead to improvement shall state guidelines, present criteria by which the faculty member could monitor his or her progress, and identify the source of any institutional commitments, if required. The plan is a commitment by the faculty member, the Performance Review Committee, and the unit administrator to improve the faculty member's performance. Adequate resources shall be provided to support the plan. The plan shall be consistent with the faculty member's academic freedom (as defined by the *ECU Faculty Manual*, Part III), shall be self-directed by the faculty member, and shall be sufficiently flexible to allow for subsequent amendment, if necessary. Such amendment will follow the same process as the development of the original plan. If the unit administrator, Performance Review Committee, and faculty member cannot agree on a formal development plan, each party's draft of a plan will be forwarded to the next higher administrator, who will make the final decision. The faculty member's development progress shall be reviewed in a meeting that occurs at least twice each academic term by the Performance Review Committee and the unit administrator, who shall provide a written evaluation of progress to the faculty member. A copy of this evaluation will be provided to the faculty member and placed in the faculty member's personnel file.

#### H. Subsequent Evaluation

If the faculty member's cumulative performance level is satisfactory within the designated period of time, the unit administrator shall report the results of the performance review in writing to the faculty member and place a copy of the written evaluation in the faculty member's personnel file. The faculty member will undergo another performance review at the beginning of the next performance review interval. If the faculty member's cumulative performance level remains deficient after the designated period, the unit administrator may recommend that serious sanctions be imposed as governed by Appendix D, Section VI, "Due Process Before Discharge or Imposition of Serious Sanction," of the *ECU Faculty Manual* and Chapter VI of *The Code of the Board of Governors of the University of North Carolina*.

\*With respect to personnel matters relating to Performance Review, academic units are defined as departments described in the codes of operation of professional schools, the departments in the College of Arts and Sciences, professional schools without departments, Academic Library Services, Health Sciences Library, and any other units in which faculty appointments are made. In the College of Arts and Sciences and in professional schools whose unit codes describe departmental structures, departmental chairs are the unit administrators. In schools that do not have departments described in their unit codes, the dean of the school is the unit administrator.

III. Form: Report on Performance Review of Tenured Faculty

Approved: Faculty Senate Resolution #98-13  
15 April 1998  
East Carolina University Chancellor  
East Carolina University Board of Trustees, November 20, 2009

Amended: Faculty Senate Resolution #98-29, November 1998  
Interpretation made to Section II., October 1998  
Faculty Senate Resolution #08-42, October 2008 (pending)

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Performance Review of Tenured Faculty  
East Carolina University

Faculty member: \_\_\_\_\_

School/department: \_\_\_\_\_ Date: \_\_\_\_\_

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I. Narrative Evaluation of most recent 5 years of faculty performance:

II. Summary Performance Review Evaluation:

\_\_\_\_\_ Exemplary

\_\_\_\_\_ Satisfactory

\_\_\_\_\_ Deficient

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Submitted by: \_\_\_\_\_

Unit Administrator

\_\_\_\_\_ Date

Performance Review Committee Response:

\_\_\_\_\_ Agree

\_\_\_\_\_ Disagree

\_\_\_\_\_ Committee Chair

\_\_\_\_\_ Date