

**Post-tenure Review Then and Now: Retrospective and Prospective Study of Its
Impact on Faculty and Higher Education**

Professor Sara Anne Hook, M.L.S., M.B.A., J.D.

Indiana University

Introduction

When Dr. Christine Licata published *Post-Tenure Faculty Evaluation: Threat or Opportunity?* in 1986, it became the starting point for increased pressure on colleges and universities to address society's concern that once faculty members were granted tenure, they were absolved of any expectation for continued productivity or accountability. Responding to this perceived "crisis" in higher education, the approaches taken in establishing post-tenure review systems varied greatly between institutions, including whether policies were developed by administration or faculty bodies, whether the process was formative or summative, whether the process was periodic or triggered by some identified deficiency, whether the process resulted in a development plan with resources to assist faculty members who needed to refresh or refocus and whether the process required peer review. Faculty members faced with adverse employment action because of post-tenure review challenged these policies on a number of legal grounds.

Twenty-five years later, it is appropriate to determine the impact of post-tenure on faculty and higher education, whether there has been a change in society's perceptions about tenure and whether colleges and universities will turn to post-tenure review or a variation of it as a way to reduce expenses and increase flexibility during a time of significant financial challenges. This paper will cover the history of and rationale for

post-tenure review, the features of various post-tenure review systems, retrospective analysis of what has happened with post-tenure review over the past 25 years and a discussion of the potential for new emphasis on the use of post-tenure review policies in the future. The author chaired the committee that developed the post-tenure review policy at her campus and then helped implement the process, including training for department chairs and deans. Her campus was one of the institutions receiving a mini-grant through the American Association of Higher Education's New Pathways Project on Post-Tenure Review.

History of Post-Tenure Review

Discussions about tenure, and more recently post-tenure review, appear to be cyclical in nature. First, there are many misconceptions about the history and purpose of tenure. At its core, tenure was intended to provide protection to faculty members who espoused, investigated or advocated, through their teaching or research, an unpopular or controversial political, social or religious view. This protection was deemed necessary in order to allow issues that threatened the status quo or conventional wisdom to be fully explored in academe without fear of retribution. While the tendency is to think of tenure in the context of political and social beliefs, it also provides protection for faculty members in the fine arts, sciences and professions so that they can pursue new and novel ways of solving problems, even in the face of extreme resistance from institutions and colleagues and against the weight of established knowledge. An example of this situation in medicine is the development of the theory of angiogenesis, in which scientist who originally proposed the hypothesis of why cancer reappeared, often in another site in the

body, was subjected to substantial negative treatment prior to being able to prove the correctness of his theories.

A discussion of post-tenure review naturally follows any discussion of tenure. At various points, university administrators, trustees, legislators and the public at large have questioned why a system exists that, in their view, provides people with what amounts to a job for life without any accountability or expectations for future productivity. This is certainly an oversimplification and not reflective of the reality that the majority of faculty continue to work with just as much diligence and commitment after they achieve tenure as they did while on the tenure track. Nevertheless, calls for some sort of continued oversight of tenured faculty have resulted in considerable number of universities and colleges putting a review process in place for tenured faculty members. It is interesting to examine whether the implementation of post-tenure review at various institutions was mandated by the state legislature, by the university's trustees or by university administration, or more rarely, at the request of faculty. Typically, the pressure to establish post-tenure review resulted from a combination of multiple factors and groups.

For this paper, the date of 1986 has been chosen to mark the official beginning for the modern era of post-tenure review. Not only is this year significant because of the publication of Licata's first of several books on the subject of post-tenure review, but it also marks the date when post-tenure review arose in a significant manner on the campuses of many higher education institutions around the country. Post-tenure review, although controversial and not necessarily welcomed by faculty, became something that could no longer be ignored. As reported by Licata, "[r]epresentatives from 43 institutions participated in an ACE Leadership Development Program on Periodic Review of

Tenured Faculty in November 1984.” (Licata, p. 71) Thirty institutions responded to a subsequent survey, with 16 institutions indicating that they already had a formal plan on their campuses and another eight institutions noted that their institutions were in the process of developing a formal system. (Id.) As part of the survey, respondents were asked about the purpose of the evaluation, the effectiveness of the process in achieving the stated purpose, the frequency of the process, which ranged from annually to intervals of two to five years, the types of participants in the process and the logistics of the process, including whether there was peer review and whether student evaluations were part of the process. (Id. at 71-72). Many of the institutions reporting a post-tenure review process in response to the survey were small colleges, but a number of universities responded that such a process was in place, including Texas Tech University.

In the early 1990s, the pressure for universities and colleges to implement post-tenure review policies increased. In addition to ongoing concerns about unproductive faculty, sometimes seemingly based more on anecdotal evidence than statistical data, budgetary woes were added to the justification of reviewing tenured faculty as higher education began to experience the true pinch of having to do more with less and to be questioned by a public already battered by job cuts in industry. At the same time, the graying of the professoriate became a matter for discussion, including senior faculty members being described, somewhat unflatteringly, as “snow on the roof versus fire in the furnace.” (Bland, Carole J. and Bergquist, William H. *The Vitality of Senior Faculty Members: Snow on the Roof – Fire in the Furnace*. ASHE-ERIC Higher Education Report. Vol. 25, No. 7, 1997).

In the mid-1990s, the representatives at the author's campus, Indiana University-Purdue University Indianapolis (IUPUI), as well as other campuses of Indiana University were informed that its trustees were insisting on the development and implementation of some form of post-tenure review. At this time, the responsibility for drafting a policy for the IUPUI campus was given to the IUPUI Faculty Affairs Committee, a committee under the auspices of the IUPUI Faculty Council. The author was chair of this committee when the policy, called IUPUI Faculty/Librarian Review and Enhancement (*IUPUI Supplement to the Academic Handbook*, p. 90), was developed by the committee (1997), revised based on feedback (1998) and approved (1998). It is important to note that librarians at Indiana University are tenure-track faculty members and go through a rigorous dossier review process in order to be granted tenure.

The IUPUI Faculty/Librarian Review and Enhancement policy was revised again during 1999 and the individual schools at IUPUI were given the task of implementing processes and procedures for conducting the review. At the same time, the policy on annual reviews (*IUPUI Supplement to the Academic Handbook*, p. 72) was revised to make it clear that annual reviews were to be conducted on all full-time faculty members. These annual reviews would become the basis on which faculty were selected for a post-tenure review process, which was termed the "triggered" approach to post-tenure review versus a process for that all faculty would participate in during a certain time period (typically every five years), which the author was fond of referring to as the "every five years, everyone has to do it" approach. In 1997, Licata, along with Joseph C. Morreale, published her second book on post-tenure review. (Licata, Christine M. and Morreale, Joseph C. *Post-Tenure Review: Policies, Practices, Precautions*. Washington, D.C.:

American Association for Higher Education (AAHE), 1997) In 1999, the author gave a presentation on post-tenure review at the Seventh AAHE Conference on Faculty Roles and Rewards. (January 23, 1999: "Faculty and Librarian Review and Enhancement: A Developmental Plan for Post-Tenure Review," Seventh AAHE Conference on Faculty Roles & Rewards, San Diego)

Another phase in the history of post-tenure review took place in 1998-2000, with the award of mini-grants to a number of colleges and universities to assist in the implementation of post-tenure review. IUPUI was a recipient of one of the mini-grants with a project that focused on providing training for department chairs and deans. The author was part of a small team that developed the training program. Part of the project included a review of the training materials that were developed and a mock review of the presentation that would be provided to administration on campus. The details of this project and the results were shared through a number of presentations and publications. (Lees, N. Douglas, Hook, Sara Anne, and Powers, Gerald. Post-tenure review: changes for faculty and challenges for department chairs. *The Department Chair* 10(2):7-8, Fall 1999)

Based on the results of these mini-grants, Licata published her third book on post-tenure review, also with Joseph Morreale as co-editor. (Licata, Christine M. and Morreale, Joseph. *Post-Tenure Review Faculty Review and Renewal: Experienced Voices*. Washington, D.C. American Association for Higher Education (AAHE), 2002) In this book, Licata discusses the growth of post-tenure review, issues related to terminology and some common themes that were identified through the New Pathways project. Among the issues discussed under the theme of Critical Beginnings were the

importance of grassroots faculty involvement, whether the post-tenure review policy was summative versus formative, inclusion of peer review in the process and the need for leadership and engagement, especially during the development and implementation of the process, and the critical role of the department chair in ensuring consistent application of policies and procedures. (Id. at 7-9). Under the theme of Strategic Checkpoints were ritualistic compliance that might reveal a dichotomy between the intentions of the original mandates and the reality of implementation, the difficulty of setting performance benchmarks, the need for training and orientation for department chairs in faculty evaluation and how to assess outcomes and track the implementation of the policies and procedures. (Id. at 9-11). Interestingly, in her role as Associate Dean of the Faculties at IUPUI (1999-2004), the author was responsible for securing a letter from each school's dean certifying that annual reviews had been conducted on full-time faculty members and the names of any faculty members who were rated as unsatisfactory. This information was compiled into a report for the Dean of Faculties. The final theme of Intentional Intersections covered the difficult issues of policy convergence, especially related to existing annual review processes, the ethic of collective responsibility, which also encompassed recognition of differentiated faculty workloads and roles, and the preservation of tenure, advocating that post-tenure review be viewed as an affirmation of tenure rather than as a periodic re-tenure process. (Id. at 11-13)

Since 2002, Licata has published two additional books about post-tenure review. (Licata, Christine M. and Brown, Betsy Etheridge. *Post-Tenure Faculty Review and Renewal. II: Reporting Results and Shaping Policy*. Bolton, MA: Anker, 2004 and Licata, Christine M., Morreale, Joseph C. and Bensimon, Estela Mara. *Post-Tenure*

Faculty Review and Renewal. III: Outcomes and Impact. Bolton, MA: Anker, 2006)

Interestingly, AAHE had its own challenges during this time, including being disbanded in 2005 and then being reconstituted in 2007 as the American Association for Higher Education and Accreditation (AAHEA). (*History of the Institute*, <http://www.aahea.org/history.htm>, accessed 9/20/11) Although the literature is sparse, post-tenure review continues to be a matter of concern, especially when high-profile cases challenge the process and methodology used as well as such foundational themes as academic freedom, lack of due process and unequal treatment. (Gray, Mary W., Lawson, Jr., Warner, and Klayton, Margaret. Academic freedom and tenure: Virginia State University. *Academe* 91(3)47-62, May/June 2005) Moreover, a review of the documents from a variety of institutions that participated in the survey for *Librarians and Post-Tenure Review* reveals continued revision of these documents as well as refinement of processes and procedures at individual school and department levels.

The book by Licata and Brown from 2004 provides statistics on post-tenure review gathered from a number of institutions that show the extent to which faculty members have been part of this process. For example, at Kansas State University reported that 19 faculty members failed to meet department minimum standards over the past five evaluation periods per its Chronic Low Achievement policy. (Licata and Brown, 2004, at 103) Of those 19 faculty members, eight improved their performance and met department standards, four developed action plans that would be evaluated in Spring 2002, two retired, one entered phased retirement, three resigned and one was dismissed. (Id.) The University of Wisconsin-Green Bay provided survey results by unit for 1994-1999, which indicated that 60 faculty members had filed professional development plans

that would be the basis for post-tenure review in the future, 24 faculty members were scheduled for review in 1999-2000 and 17 faculty members had undergone more than one post-tenure review, with one faculty member making a career change, 36 retirements or resignations and zero of these resignations or retirements being prompted by an unsatisfactory appraisal in a post-tenure review. (Id. at 104-105) A post-tenure review summary from the Arizona University system for 2000-2001 indicated that out of 2711 faculty members who were evaluated, nine were found unsatisfactory in teaching, six were unsatisfactory in service and 17 were unsatisfactory in research, for a total of 32 unsatisfactory faculty members who will participate in a Faculty Development Plan and nine to begin a Performance Improvement Plan. (Id. at 116) The text comments that “[g]iven the ‘weeding out’ of less talented faculty that takes place during the tenure process (with fewer than two thirds of entering tenure-track faculty being granted tenure, and this after long and careful job searches for the best candidates), it is to be expected that the vast majority of tenured faculty are rated as ‘better than satisfactory.’” (Id.) The report also noted that the college deans reviewed the files of a total of 750 tenured faculty members who had undergone the annual post-tenure review process, finding problems at three of the universities. (Id. at 117).

The University of Massachusetts implemented a periodic multi-year review of tenured faculty for the first time on four of its campuses in 1999-2000. (Id. at 127) The results of this process indicated that while 173 faculty members in the system completed this process, a mere nine percent needed a revised statement or development plan. (Id. at 130) The areas identified as needing improvement included research/scholarship/creative activity, teaching/advising, academic outreach/public service and university service, with

some faculty members being cited for multiple issues. (Id.) As noted in the text, a number of faculty members (18 percent overall, but 28 percent at UMass Dartmouth) signaled their intention to retire within three years and thus had their review process waived, suggesting that the percentage of faculty members who would have required revised statements or development plans would have been higher. (Id.) Eighty faculty requested professional development funds, for a total request of \$280,493, with \$244,512 granted, meaning that 94 percent of faculty members requesting this funding received it. (Id. at 132) In a two-year cumulative review of the process for the system, 398 faculty completed a periodic multi-year review process, of which only 31 faculty members (or 8 percent) required either a revised statement or professional development plan. (Id. at 142) Interestingly, the text notes that two faculty members who rescinded their intention to retire were immediately placed into the schedule for review. (Id.)

A report from the University of North Carolina for the performance review of tenured faculty members from 1998-2001 indicates, that only 1 percent of faculty members were found deficient in the 1998-1999 review process, with a three-year total of 104 faculty members found to be deficient out of 2845 faculty members who were reviewed through a periodic review process to take place no less frequently than every five years. (Id. at 147) What is perhaps striking about the statistics in the report from these universities is the relatively small number of faculty who were found to be unsatisfactory and for whom additional action was recommended, such as a further stage of review or a professional development plan. At the same time, many institutions reported that their post-tenure review processes were yielding at least some benefits to the organization, including greater alignment between faculty work and institutional or

departmental needs, more differentiated work assignments, redefinition of faculty career profiles, performance improvements when faculty members had minor weaknesses, increased career satisfaction, reinforcement of the annual review process and removal of faculty members who were truly not performing. (Id. at 143)

The Licata and Morreale book from 2006 was based on a research project involving nine institutions out of eleven who were invited to participate in 1997. (Licata and Morreale, 2006, at 4). The research methods included a review of institutional documents and records, on-site interviews and focus groups with faculty members and administrators and a university-wide survey. The summary of general trends and differences indicated that administrators, particularly chairs and deans, tended to be more positive about the post-tenure review process and the policy than faculty; that research institutions tended to view the post-tenure review policy more favorably than respondents from teaching institutions or the medical school participant; where a periodic review approach was used, respondents were significantly more positive and satisfied with the process than at institutions using any other type of approach, with a blended approach of both periodic and triggered being the least positive and female respondents were significantly less positive than males about three specific areas – the fairness of procedures and criteria, understanding of the process and roles in the process and the issue of insufficient resources. (Id. at 77) Four areas were identified as problematic, including “the excessive time to prepare and perform the review, excessive paperwork, insufficient funds for faculty development and no positive change resulting from the review.” (Id. at 78) In their book, Licata and Morreale also report on three early court cases related to post-tenure review: *Weist v. State of Kansas* (2003) involving Kansas

State University, *Johnson v. Colorado State Board of Agriculture* (2000), which was a challenge to Colorado State University's post-tenure review policy, and *Lubitz v. Wisconsin Personnel Commission* (2000) concerning a faculty member in the University of Wisconsin system whose repeated health problems resulted in requests for leaves of absence. (Id. at 15-16). As noted by Licata and Morreale, legal scholars Cameron and Lee have analyzed these cases as well as other from this same time period, finding that "[a] system of post-tenure review can minimize the risk of age discrimination; implementation of a post-tenure review system does not impair vested rights or create new obligations; faculty evaluation and dismissal for cause are distinguishable and post-tenure review can provide a framework for selecting faculty members to be eliminated in a financial exigency or other institutional contraction. (Id. at 16)

Choices in Developing Post-Tenure Review Policies

Colleges and universities developing post-tenure review policies were faced with a number of choices in their approaches to post-tenure review. The following is a list of common questions in the development and implementation of post-tenure review policies (see Hook, Sara Anne, Lees, N. Douglas and Powers, Gerald. *Librarians and Post-Tenure Review*. SPEC Kit 261. Washington, D.C.: Association of Research Libraries, 2000, pp. 17-23):

- Formative versus summative?
- Triggered versus periodic?
- If triggered, what is the mechanism?
- If periodic, how often?

- How is the policy interwoven or consistent with existing policies, such as policies for annual reviews, dismissal for incompetence and/or misconduct or financial exigency?
- Peer review included?
- Who conducts the review?
- Is there an appeals process?
- Is there a waiver process for such things as a faculty member's health or impending retirement?
- Which documents would be included as part of the "dossier"?
- What criteria are used to judge performance?
- Who decides on the criteria?
- Are the criteria the same or different from the criteria for awarding tenure?
- What are the possible ratings, such as satisfactory or unsatisfactory or superior, meeting expectations or below expectations?
- What are the consequences of a post-tenure review process, both positive and negative?
- Is there a faculty development plan crafted prior to dismissal?
- What resources are available to support a faculty development plan?
- How many years are provided for a faculty development plan?
- What are the consequences for not fulfilling a faculty development plan?
- Can a faculty member request a development plan voluntarily?
- Policy developed by faculty, by administration or a combination?
- Student evaluation data included?

Current Status of Post-Tenure Review: Methodology

In 2000, the author and her colleagues became interested in how post-tenure review had been handled for librarians at other institutions of higher education. They collaborated with the Association of Research Libraries to survey ARL member libraries. The survey was sent to 121 ARL member libraries, with 55 responses for a return rate of 45 percent. (Id. at 11) For purposes of this paper, the survey results are less important than the representative documents that were submitted by ARL member libraries for inclusion in the publication. Among these institutions were Colorado State University, Iowa State University, Texas Tech University, University of Tennessee, University of Florida, Texas A&M University, Virginia Tech University and University of Hawaii, along with the IUPUI campus of Indiana University. The author compared the documents that were submitted by these institutions with the current iterations of these documents and other information on their websites to determine whether substantial changes been made to the post-tenure policies and processes at these institutions and to detect any overarching trends. At the same time, she reviewed the resources about post-tenure review by the American Association of University Professors available through its website, other recent publications and any available statistics.

Current Status of Post-Tenure Review: Preliminary Findings

One of the most difficult issues with assessing the effectiveness of post-tenure review is that the statistics are generally not available. Moreover, one of the early results of implementing post-tenure at IUPUI was that the small number of faculty member who

could have been faced with post-tenure chose to leave the university instead. Although this might have been a result that was welcomed by some administrators, it is not necessarily consistent with a post-tenure review policy that anticipated an opportunity for career enhancement prior to a faculty member being faced with departure from the university.

Among the institutions whose policies and other materials were reviewed for this paper, the Board of Governors of the Colorado State University System received a report dated, August 11, 2010, which included information about the comprehensive review of tenured faculty members on their campuses (Fort Collins and Pueblo) and the results of the reviews for 2004-2005 through 2009-2010. As stated in the report, since they started with the comprehensive reviews eight years ago, virtually all faculty members have been through the process once and they are now in their second cycle for many faculty members. (Fort Collins report at 6) The report notes that it is not surprising that the number of professional development plans that are necessary has been declining, with seven professional development plans in 2004-2005 and then ranging from two to five in subsequent years. (Id.) As indicated on page 5 of the CSU-Fort Collins report, in 2009, three of the 69 faculty members who were scheduled for a comprehensive review were delayed or cancelled, due to promotions, resignations, retirements and sabbaticals, and no professional development plans were implemented. (Id. at 5) The 66 faculty members undergoing comprehensive review during 2009-2010, who represented a wide variety of disciplines, were all rated satisfactory. (Id. at 6) In terms of the Pueblo campus report, the 2009-2010 year included ten comprehensive reviews. (Pueblo report at 4) Three

comprehensive reviews were delayed or cancelled, including one professor who retired and another who chose an early phased-retirement option. (Id. at 5)

A more robust review of tenure and post-tenure at Virginia's public colleges and universities was conducted in 2004 by the Joint Legislative Audit and Review Commission of the Virginia General Assembly. (Joint Legislative Audit and Review Commission. *Special Report: Tenure and Post-Tenure Review Policies at Virginia's Public Colleges and Universities*. Richmond, VA: Virginia Legislative Assembly, 2004) As articulated in the report, the arguments in favor of a tenure system include that it is embedded in academic culture, it protects academic freedom, for labor economic reasons, it reinforces the authority structure of institutions, and it enhances the institutional missions of teaching, research/scholarship and service. (Id. at 3-7) On the other hand, arguments against tenure are identified as that it entrenches less productive faculty, it insulates faculty from accountability and "real-world" realities, it limits institutional flexibility in staffing decisions, it distorts incentives for research, teaching and service, it disadvantages women and minorities, it hinders faculty who do not want to be evaluated through the tenure process, the process can be ambiguous and contradictory and the process takes too much faculty time. (Id. at 8-10)

Of the approaches to addressing problems with the tenure system, the *Special Report* notes post-tenure review or renewable term contracts. (Id. at 10-11) It is important to note the 1996 legislative mandate that all 16 higher education institutions in Virginia with tenure systems must adopt some form of post-tenure review policy, As part of its report, the commission also looked at the percentages of tenure-track, tenured and non-tenure track faculty in these institutions. As stated on page 23, at all but Richard

Bland College, the full post-tenure review process can be triggered by the results of the annual evaluation (two or three consecutive unsatisfactory ratings within the last five years) and thus depends on having a meaningful annual review process for all faculty members in place. (Id. at 23) Table 5 shows the number of post-tenure reviews at each institution and their outcomes for 1998-1999 through 2002-2003, with a total of 400 faculty members undergoing a post-tenure process, 286 with no problems or needs identified, 52 with an incomplete process due to termination, 26 with all improvement expectations met and 35 whose expectations for improvement were not met. (Id. at 28) Of the 35 faculty members who did not meet their expectations for improvement, 21 proceeded to a phased retirement, three undertook mandatory teacher training, two had changes in their workloads or assignments, three were faced with a reduction in salary or were not eligible for salary increases, two were dismissed or terminated and an additional four are indicated as either resigning to avoid termination, retiring or the case was still pending at the time of the report. (Id. at 30) In its conclusions, the report offers a number of reasons why administrators at the 16 institutions are able to ensure that tenured faculty members continue to be productive. These reasons include that annual evaluation is central to the post-tenure review process, that the tenure process itself tends to select those who would most likely remain productive, that the incentive for promotion to full professor exists after tenure is attained, that there is peer pressure to remain productive, that institutions must make their expectations clear and that reward systems also helpful to ensure productivity. (Id. at 37-38)

Reviewing some of the documents and other materials on post-tenure review from the other institutions selected for analysis in this paper indicates that post-tenure review

has become fully integrated in universities policies for faculty members, and that processes and procedures for how post-tenure review will be handled are now more clearly articulated. For example, at the University of Hawaii (Manoa), the Vice Chancellor for Academic Affairs sends a memorandum to all deans and directors about the procedures and timetable for its five-year review of tenured faculty. (letter for 2010-2011 process, dated August 27, 2010). This memorandum includes the criteria for who will be reviewed in the academic year, a copy of the Procedures for Evaluation of Faculty at UH Manoa (revised July 1997), a timetable with due dates, a form for a faculty member to report his or her progress on a Professional Development Plan (PDP) and a reporting form for deans and directors to provide an update on their faculty members' Professional Development Plans. Interestingly, the College of Languages, Linguistics and Literature at UH Manoa went through a program review in 2008. (Review of The Colleges of Languages, Linguistics and Literature, University of Hawaii at Manoa, April 25, 2008). Among the findings of the review were the heavier than usual teaching load for faculty members and the decrease in the number of tenure-line faculty and the increase in non-tenure-track, especially at a time when enrollments in the College were increasing, both of which hampered the ability of faculty members to engage in research. (Id. at 2-3) Among the summary recommendations from the program review was that the College “[c]onsider a better system of post-tenure review, perhaps including external evaluation, with an emphasis on faculty development.” (Id. at 8)

According to documents located on its website, Iowa State University spent two years revising its post-tenure review policy, which had been approved by its Board of Regents in 1999, beginning with the appointment of a task force in 2009 and culminating

its approval by the Faculty Senate, president and provost in April 2011. At Iowa State, at least every seven years or at the faculty member's request (but at least five years from the last review) or during the year following two consecutive unsatisfactory annual reviews, resulting in a system that blends both the periodic and triggering approaches to post-tenure review. In Texas, state law requires that a policy be adopted to establish a process for evaluating the performance of tenured faculty. Thus, Texas A&M University's original 12.06 Post-Tenure Review of Faculty and Teaching Effectiveness was first approved on October 13, 1995, but revised again in 1997 and 2008. This policy was next scheduled for review in September 2010. As stated in the policy, "[s]ubsequent to the award of tenure, the performance review of a faculty member provides a mechanism to gauge the productivity of the individual and should be designed to encourage a high level of sustained performance." (Id. at 1) Under Texas A&M's policy, post-tenure review "shall occur no more often than once every year, but not less than once every six years after the date of the award of tenure." (Id.) The policy provides a long list of factors to use in evaluating faculty members, noting that not all departments will use the same weighing of each factor and that this may also differ based on a faculty member's specific roles and responsibilities. (Id.) Another document, titled University Rule 12.06.99.MI Post-Tenure Review (Approved November 13, 2006, Supplements System Policy 12.06), provides additional detail on the use of annual reviews for post-tenure review, that a professional review will be initiated when a tenured faculty member receives three consecutive unsatisfactory reviews, how the professional review will be conducted, the implementation of a Professional Development Plan, the consequences of

failing to meet the goals outlined in the Professional Development Plan and the appeals process.

The University of Florida's website contained a internal management memoranda, with the effective date of March 7, 2008, for the Sustained Performance Evaluation Program (SPEP) and the Professional Improvement Plan (PIP).

http://imm.ifas.ufl.edu/6_30/630-1-5.htm, accessed 9/22/11). The policy notes that tenured and performance status faculty members will be reviewed for sustained adequacy once every seven years. The policy also outlines the procedures for a faculty member whose sustained performance rating is below satisfactory, with a comprehensive review of the faculty member by a Peer Advisory Committee (PAC). After its review, the PAC has the option of recommending a Personal Improvement Plan (PIP), which is developed by the faculty member and the administrator of the unit. The policy also includes general guidelines on the PIP, including content, timing and possible disciplinary action. In a related document, the university's policy is distilled into the procedures for the College of Medicine's SPEP process, with a timeline for 2011-2012. At the University of Tennessee, Knoxville, the Cumulative Performance Review of Tenured Faculty is included as Part V of its Manual for Faculty Evaluation. (Office of the Provost and Senior Vice Chancellor for Academic Affairs. *Manual for Faculty Evaluation*. Knoxville, TN: The University of Tennessee, Knoxville, 2010). The initiation of a post-tenure review process is triggered through unsatisfactory ratings on annual reviews, either in any two of five consecutive years or a combination of unsatisfactory and needs improvement ratings in any three of five consecutive years. (Id. at 28) This policy is also supported the Policies Governing Academic Freedom, Responsibility, and Tenure, dated June 2003. As

with Texas A&M University, Texas Tech University was required by state law (SB 149) to adopt policies and procedures for post-tenure review. (Office of the Provost. *Faculty Handbook, 2011-2012*. Lubbock, TX: Texas Tec University, 2011, p. 37). Additional documents provide the operating policy and procedures for comprehensive performance evaluation of tenured faculty and more specific detail on how the process is handled in specific colleges within Texas Tech.

Future of Post-Tenure Review

It is unclear whether post-tenure review will emerge again in the next few years to become an issue of concern for faculty members, administrators, trustees and the public. On the one hand, the statistics available seem to suggest that only a small percentage of faculty members are subjected to a true post-tenure review, either because a series of unsatisfactory ratings as part of an annual review process triggers post-tenure review or because even with a five-year periodic post-tenure review, few faculty members then transition into the next phase of the process where there can be negative employment consequences. Moreover, the percentage of tenured faculty at many colleges and universities has decreased in favor of non-tenure track faculty roles that provide greater flexibility and that lack any kind of long-term career commitment on the part of higher education institutions. In addition, the statistics suggest that, of the small number of faculty members who are faced with post-tenure review or with a subsequent development plan process, many choose to voluntarily leave the university, most likely through retirement or a phased early-retirement plan. Only a tiny percentage of faculty members who undergo a post-tenure review process are eventually dismissed and one

could speculate this result might have also been pursued using another policy, such as dismissal for misconduct or incompetence.

More comprehensive and consistent annual review and third-year review processes may mean that faculty members who do not show the kind of long-term promise of productivity expected for tenure may also be placed into non-tenure-track roles, may leave to work for institutions without a tenure system or may find that facets of academe required for tenure are not a good fit with their career goals. Likewise, an extended tenure-track period (now as long as ten years) may mean a longer period of evaluation before making the commitment to grant tenure, better opportunities for robust mentoring of tenure-track faculty and a longer timeframe in which to build a stronger foundation of successful teaching, grant-seeking and publications, which should mitigate the risks of post-tenure review in the future. On the other hand, the budgetary challenges faced by colleges and universities are unprecedented in the current economic climate. Many institutions have policies that provide the maximum protection to tenured faculty members in situations that require merger, reduction or elimination of academic programs or the in case of financial exigency. In addition, faculty and staff members at many institutions are being given viable options for early or phased retirement that were merely topics for discussion only a few years ago. Yet it is unclear whether the savings that are generated through early retirement programs, along with reductions in staff and non-tenured faculty positions, will be enough to prevent universities and colleges from turning to post-tenure review as a way to streamline the ranks of tenured faculty.

Conclusions

As an administrator at the school and campus level, chair of the committee which drafted the post-tenure review policy for her campus, a member of the team that implemented post-tenure on the campus and a tenured faculty member, the author has a variety of perspectives on the topic of post-tenure review. At the 25-year milestone for post-tenure review, it is appropriate and timely to revisit post-tenure review, to examine what facets of post-tenure review have been successful and to consider what trends might impact whether post-tenure review is raised as a significant issue in higher education in the future.

Bibliography

- Barr, Susan H., Lees, N. Douglas, and Brown, Betsy E. Preparing chairs for expanded roles in post-tenure review: new perspectives for chairs. *The Department Chair*. 11(2):9-10, Fall 2000.
- Euben, Donna, and Lee, Barbara A. Managing Faculty Productivity After Tenure (2005), <http://www.aaup.org/AAUP/programs/legal/topics/productivity.htm>, October 24, 2005, accessed 9/20/11.
- Euben, Donna. Post-Tenure Review: Some Case Law (2005), <http://www.aaup.org/AAUP/programs/legal/topics/post-ten-review.htm>, August 2005, accessed 9/20/11.
- Jaschik, Scott. Defeating post-tenure review. *Inside Higher Ed*, <http://www.insidehighered.com/news/2009/03/25/maryland>, March 25, 2009, accessed 9/20/11.
- Licata, Christine M. *Post-Tenure Faculty Evaluation*. Washington, D.C.: ERIC Clearinghouse on Higher Education, 1987.
- Neal, Anne D. Reviewing post-tenure review. *Academe* 94(5):27-30, September/October 2008.

O'Meara, KerryAnn. Beliefs about post-tenure review: the influence of autonomy, collegiality, career stage, and institutional context. *Journal of Higher Education* 75(2): 178-202, March/April 2004.

Post-Tenure Review: An AAUP Response,
<http://www.aaup.org/AAUP/pubsres/policydocs/contents/PTR.htm>, June 1999, accessed 9/20/11.

Post-Tenure Review Analyzed. (The American Political Science Association),
http://www.apsanet.org/content_9873.cfm, accessed 9/20/11.

Reeves, Thomas C. The post-tenure review blues. *Academic Questions* 17(4):3-67, Fall 2004.

Smith, Don Noel. Making the most of post-tenure review. *Academic Leadership*, vol. 8, no. 1, Winter 2010,
http://www.academicleadership.org/article/Making_the_Most_of_Post-Tenure_Review, accessed 9/20/11.

Wood, Melinda and DesJarlais, Christine. When post-tenure policy and practice diverge: making the case for congruence. *Journal of Higher Education* 44(4):561-588, July/August 2006.