



# **BYLAWS**

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## **PREAMBLE**

These Bylaws provide a framework within which the administrators, faculty, staff, and students of the College of Fine Arts participate in the educational and decision-making processes of the college. These Bylaws are valid to the extent they comply with policies and procedures set forth by the State of Texas, The University of Texas System Regents' Rules and Regulations, The University of Texas Rio Grande Valley (UTRGV) EVPAA website guidelines, and the UTRGV Handbook of Operating Procedures (HOP).

Academic schools and departments are the fundamental organizing units for the general faculty in the college; as much of the business as possible shall be conducted at this departmental level. Those powers specifically not delegated by this document or other pre-determined documents are reserved to the individual academic units. Schools and departments must be governed democratically and with transparency, respecting issues of confidentiality.

## **ARTICLE I: NAME AND COLLEGE COMPONENTS**

### **Name**

This organization shall be known as the College of Fine Arts at The University of Texas Rio Grande Valley.

### **College Components**

The College of Fine Arts is comprised of the Center for Latin American Arts and the following academic units: School of Art and Design, School of Music, Department of Theatre, Dance Department, and Creative Writing Department.

## **ARTICLE II: MISSION AND VISION**

### **Our Mission**

The mission of the College of Fine Arts at the University of Texas-Rio Grande Valley is to provide students with high quality, innovative instruction. We will empower our students with tools to appreciate, create, critique, and teach the arts as an ever-evolving project composed of diverse voices, traditions, cultures, and institutions.

### **Our Vision**

The College of Fine Arts holds two central aims. The first is to highlight the fundamental value of the arts through scholarship and artistic creation. The second is to disseminate to the local and broader communities, including international communities, both the merits of our college's varied artistic productions, publications, exhibits, and performances.

### **ARTICLE III: MEMBERSHIP**

The general faculty of the College of Fine Arts shall consist of all non-visiting full-time faculty holding the ranks of Regental Professor, Professor, Associate Professor, Assistant Professor, Assistant/Associate/Professor in Practice, Clinical faculty, or Lecturer appointed from all UTRGV sources of funds and other faculty titles approved by the UT System Board of Regents. Faculty holding joint appointments outside the College of Fine Arts will also retain the privilege of membership, as will visiting faculty (tenured and tenure-track) who have had two continuous semesters of service (excluding summers) at UTRGV and whose teaching and/or research assignment is 50% or more in the College. The voting membership of the College of Fine Arts shall be limited to tenured and tenure-track faculty.

### **ARTICLE IV: ORGANIZATIONAL STRUCTURE**

The college's organizational structure and descriptions of duties are depicted in Appendices B, C, & D and are incorporated as amended from time to time.

### **ARTICLE V: COUNCILS & STANDING COMMITTEES**

#### **Overview:**

- A. College Leadership Council
- B. College Tenure & Promotion Committee
- C. College Bylaws & Parliamentary Procedures Committee
- D. Fine Arts Collaboration Council
- E. Ad Hoc Committees

Membership of these committees shall be defined in the sections below and may include faculty, staff, and students. To be eligible to serve on such committees, students must be enrolled in good standing in the College of Fine Arts and must be pursuing a major in a school or department within the College of Fine Arts. Staff and student members shall be entitled to vote on their respective committees and councils. Committees may also include members from other units of the university and appropriate community representatives, both chosen by the dean and the corresponding committee members. The duties and responsibilities of the standing committees shall be incorporated in the Bylaws of the College of Fine Arts after approval by a two-thirds majority of the voting membership. Except for ex-officio members of committees, whose terms will coincide with their official appointments, elected and appointed members of committees will serve two-year terms and may be re-elected at the end of their first term.

All elections for committee membership will adhere to the following academic spring calendar:

Week 11: Announce Nomination Period

Week 12-13: Collect Nominations (self-nominations will be allowed)

Week 14: General Faculty Voting Period  
Week 15: Announcement of Representative(s)

Special elections may be held outside of the stated calendar when needed.

### **A. College Leadership Council**

#### **Duties:**

The College Leadership Council meets regularly during the fall and spring academic semesters and is charged with:

1. Advising the dean on college operations, budgets, and programs
2. Facilitating communication of university policies and procedures

#### **Membership:**

Membership consists of the associate deans, directors of the School of Art and Design and the School of Music, the chairs of the Department of Theatre, Dance Department, and Creative Writing Department, the college's Development Officer, the college representative on the Faculty Senate Executive Committee, and the Director of the Center for Latin American Arts. Additionally, one tenured faculty member will be elected as an at-large representative. The college's Administrative Coordinator will attend Council meetings to record the minutes and the Assistant Dean may attend (ex-officio) to provide any background data.

#### **Membership Rules:**

An election will be held at the end of spring semester to elect the aforementioned at-large representative from the tenured faculty of the College of Fine Arts. The at-large representative will serve a two-year term on the College Leadership Council (representing the entire college, not their respective programs). The at-large representative must not be from the same academic unit as the college representative on the Faculty Senate Executive Committee (FSEC), who also serves on the council. In instances where the FSEC representative is appointed in the middle of the at-large representative's term and is from the same academic unit as the at-large representative, another Faculty Senator from the college will be appointed to the council by the college's faculty senators.

### **B. College Tenure & Promotion Committee**

#### **Duties:**

The College Tenure & Promotion Committee is charged with:

1. Oversight of review and evaluation of faculty recommended for research-creative work development leaves, tenure, advancement in academic rank, and post-tenure review. Note that the guidelines, initial reviews, evaluations, and recommendations regarding tenure,

promotion, and annual reviews shall remain the purview of each respective academic unit.

2. Submitting reviews and evaluations as recommendations to the dean that will accompany the academic unit's recommendation and faculty dossier; and
3. Coordination, in consultation with each academic unit's voting faculty, of the Tenure and Promotion Guidelines with the university's HOP and UT Regents guidelines.

### **Membership:**

The committee shall consist of representatives from all five academic units of the college.

Members will be elected at the end of each spring semester as needed (members will serve a two-year term).

### **Membership Rules:**

1. All members must be tenured at the rank of associate or full professor; the committee should include no more than two members at the rank of associate professor and there must be a minimum of three full professors to evaluate a full professor or post-tenure review of a full professor. If necessary, for the purposes of maintaining the minimum number of full professor members required for the committee's functioning, additional committee members will be added to the committee in consultation with the college dean and department chairs.
2. Associate professors will not participate in the evaluation of faculty for post-tenure review and advancement to full professor.
3. Faculty in the academic units of the college will choose their faculty representative(s) from the respective unit's tenured faculty by direct ballot at the end of spring semester.
4. Each committee member will be appointed to a two-year term. Reappointment and reelection to a term can be considered for no more than two consecutive terms.
5. The committee will elect a chair from within its full professor members. The chair will direct the committee's work and participate in all aspects of the committee's faculty evaluations for annual review, tenure, promotion, research-creative work leave, and post-tenure review.
6. In accordance with UTRGV HOP ADM 06-505, Faculty Tenure and Promotion, college committee members should not participate in the voting on the candidate(s) from their department but are eligible to participate in the discussion. If college committee members also serve on their department's Tenure & Promotion Committee, and have previously reviewed a case, they must recuse themselves from voting and participating in all discussions on that case.
7. In accordance with UTRGV HOP ADM 06-505, Faculty Tenure and Promotion, associate deans are not eligible to serve on the College of Fine Arts Tenure & Promotion Committee.

### **C. College Bylaws & Parliamentary Procedures Committee**

#### **Duties:**

This committee will be responsible for maintaining the accuracy and relevance of the College Bylaws. Committee members will act as a support system for the college to ensure that parliamentary procedures are being followed in all academic units. The committee will meet at the beginning of each semester to formulate a call for updates and/or revisions to the Bylaws and will meet as needed throughout the rest of the term. The Bylaws and Parliamentary Procedures Committee will also initiate and organize periodic voting for comprehensive reviews of the college administration.

#### **Membership:**

The committee shall include a representative from each academic unit of the college. Members will be elected at the end of each spring semester as needed (members will serve a two-year term).

#### **Membership Rules:**

Committee members must be part of the College of Fine Arts voting membership (tenured and tenure-track faculty).

### **D. Fine Arts Collaboration Council**

#### **Duties:**

This Council will join faculty, staff, and students from all five academic units of the College of Fine Arts with the purpose of creating collaborative opportunities between disciplines.

#### **Membership:**

The council shall include a faculty representative from each academic unit of the college, and two student representatives from each unit. Faculty members will be elected at the end of each spring semester as needed (faculty members will serve a two-year term); student members will be nominated by faculty in the first week of the fall semester and elected by the students of the college by the end of week 4 of the fall semester. Student members will serve a one-year term, with the possibility of a second year if re-nominated and re-elected. A staff representative is also recommended and may be appointed by the college dean.

#### **Membership Rules:**

Students must be enrolled in good standing in the College of Fine Arts and must be pursuing a major in a school or department within the College of Fine Arts. All general faculty are eligible to serve on the council and all council members are entitled to vote.

## **ARTICLE VI: MEETINGS**

### **Section 1. General Meetings**

A meeting of the general faculty shall be held at least once per year but may be called more often as determined by the dean in consultation with the College Leadership Council. Faculty will be notified of upcoming meetings at least two weeks in advance to add action items to the agenda.

- a. All general faculty and committee meetings will require minutes, and a minority report if deemed necessary by any member.
- b. A meeting can be postponed by a majority vote of the voting faculty present.
- c. College-level meetings are open to interested parties, respecting issues of confidentiality.

### **Section 2. Special Meetings**

Special meetings of the general faculty may be called by the dean, with the purpose stated in the call. Faculty may also petition the dean to call a special meeting with the petition signed by at least 25% of the College of Fine Arts general faculty (see Article III above).

### **Section 3. Standing Committee Meetings**

A meeting of each standing committee (listed in Article V) shall be held at least once per semester (no later than six weeks after the start of the semester), although in cases where an agenda is lacking, a brief check-in meeting via Zoom or e-mail may be considered if all members of the standing committee agree to this procedure.

### **Section 4. Reporting Requirements**

The recording secretary of the meeting shall circulate within a week of the meeting to the members in attendance a draft form of the minutes. The draft minutes also shall be attached to the agenda for the next meeting and shall be presented for approval. Once approved, and corrected if necessary, the approved minutes and agenda for the reported meeting shall be posted to a secure College of Fine Arts electronic file-sharing platform accessible by appropriate constituents.

### **Section 5. Quorum and Voting Procedures**

- a. A simple majority of the defined voting membership must be present to constitute a quorum.
- b. No business may be transacted in the absence of a quorum.
- c. For standing committee meetings, all members must be present, unless exceptions are agreed upon by unanimous decision of all committee members.
- d. Voting will be announced in advance through means that must include e-mail notification but not limited solely to e-mail notification (e.g., announcements at college or unit meetings).



- e. Voting (including through personal university email accounts for members in absentia) shall only be allowed on issues already included in the agenda disseminated through email to the respective members two weeks before the meeting.
- f. Referendums affecting all faculty members may be taken through electronic ballot.
- g. At any meeting, any voting member may request a confidential ballot.
- h. Policy and program decisions will be confined to meetings held during the fall and spring semesters.
- i. Proxy voting is not allowed.
- j. Results of electronic votes will include the number of votes received, both for and against.

## **Section 6. Parliamentary Procedure**

Except as otherwise provided herein, the procedures governing the college, its standing committees (and ad hoc committees), and the committees of its respective academic units shall be conducted in accordance with the rules contained in the latest edition of Robert's Rules of Order. If there is disagreement over the reasonable interpretation of any pertinent rule therein, this disagreement must be resolved democratically before any business affected by this rule may be conducted.

## **ARTICLE VII: COLLEGE POLICIES**

Tenure and Promotion policies shall be formed and approved by each academic unit. For recruitment and hiring policies, see the UTRGV Handbook of Operating Procedures.

## **ARTICLE VIII: APPROVAL, REVIEW, AND AMENDMENTS TO THE BYLAWS**

### **Section 1. Approval**

The Bylaws for the College of Fine Arts shall be effective upon approval by a two-thirds majority of the college voting membership, the dean, and the provost. They shall be made easily and clearly available online on the college's webpage and as a hard copy in every academic unit's office.

### **Section 2. Review**

The college Bylaws and policies shall be reviewed by the College Bylaws & Parliamentary Procedures Committee, in consultation with the College Leadership Council and the Dean every year.

### **Section 3. Amendments**

Amendments to the Bylaws shall be made by a majority of the college voting membership after a one-month waiting period in which the college's general faculty may review and discuss the

proposed amendments. Amendments can be proposed by any general faculty member of the College of Fine Arts by submitting the proposal to the College Bylaws & Parliamentary Procedures Committee. Alternatively, an amendment can be proposed by petition if signed by 25% of the college voting faculty. All voting for amendments will be carried out electronically and tallied by the College of Fine Arts staff.

Amendments become effective upon approval by the provost.

#### **Section 4. UTRGV Handbook of Operating Procedure (HOP)**

In the case of a conflict between the college Bylaws and the UTRGV Handbook of Operating Procedures (HOP), the HOP shall prevail.

#### **APPENDIX A: PRINCIPLES OF SHARED GOVERNANCE**

Shared Governance is one of the key values stated in the inaugural UTRGV Strategic Plan:

“Participating in decision-making processes with integrity, trust, and respect is a responsibility of all UTRGV stakeholders. This requires an environment of shared governance, academic freedom, accountability and transparency, and open and honest communication.”

This document also endorses the University of Texas System Philosophy of Shared Governance, which includes the following principles:

- Total commitment to collegial, cooperative, and trust-based organizational leadership that enables meaningful combined participation by the administration and the faculty in the management of an institution’s operations.
- A devoted partnership among all stakeholders to a clearly defined and broadly affirmed institutional vision.
- A standing elected faculty governance organization recognized as the voice of the faculty.
- Consistently open and transparent communication without threat or fear of reprisal.
- While recognizing it is the President who is accountable for all the institutions does or fails to do, an appropriate level of shared responsibility and accountability in decision making exists along with a bias for action and follow-up on all institutional decision.
- An overall organizational culture of caring, mutual respect, and commitment to collectively address any challenge.

#### **Rights and Responsibilities for Shared Governance**

As per UT System Regents’ Rules and Regulations, Rule 40101, Faculty Role in Educational Policy Formulation, Sec. 3 General Authority: Subject to the authority of the Board of Regents and subject further to the authority that the Board has vested in the various administrative officers and subdivisions of the System, the faculties of the institutions regularly offering

instruction shall have a major role in the governance of their respective institutions in the following areas:

- 3.1 General academic policies and welfare.
- 3.2 Student life and activities.
- 3.3 Requirements of admission and graduation.
- 3.4 Honors and scholastic performance.
- 3.5 Approval of candidates for degrees.
- 3.6 Faculty rules of procedure.

Additionally, faculty have the right and responsibility to participate in the governance and administration of the College of Fine Arts. These rights and responsibilities include making recommendations to the dean of the college regarding:

1. The form and structure of governance in the college.
2. Selection of academic unit chairs and directors and participation in the selection of the dean and other college administrators, both interim and permanent. Recommending committees, however established, must include faculty representation.
3. Evaluation of faculty, including faculty recruitment, hiring, retention, annual review, promotion, granting of tenure, dismissal, developmental leave, and emeritus status.
4. Policies and procedures governing annual performance reviews and merit increases.
5. Establishing workload policies, including teaching responsibilities.
6. New programs and courses.
7. Other matters of concern to the faculty including, but not limited to:
  - a. general policies and procedures for determining class size, workload, course scheduling, and teaching assignments.
  - b. general policies and procedures for the allocation of financial resources in the College.

All stakeholders in the college, including faculty, staff, and students, shall participate in the evaluation of administrators in the College of Fine Arts.

When the dean does not act per established policies and procedures, they will provide a written statement of explanation to the College Leadership Council, which in turn will disseminate the explanation to the general faculty.

## **APPENDIX B: DEAN OF THE COLLEGE**

### **Description:**

The primary administrative officer of the college shall be the dean, who may at the same time hold academic rank in one of the academic units of the college. The dean represents the college

faculty as their visible and expressive advocate. The dean shall assume those duties and responsibilities of the office as designated and assigned by the provost or President of UTRGV.

**Selection:**

In accordance with UTRGV HOP ADM 06-302, Appointment of Deans: The appropriate Executive Vice President (EVP) or designee shall appoint a search advisory committee composed of at least two tenured members of the college faculty selected in consultation with college faculty, two general faculty members, at least one of whom shall be from another college, one academic unit chair or director, one dean from another college, one staff member from the college and other persons as the EVP may deem appropriate. The EVP shall select the committee chairperson. The process shall follow all pertinent HOP procedures.

**Duties and Responsibilities:**

1. Promote the welfare of the university in concert with UTRGV's vision and strategic goals.
  - Represent the university in the community on matters pertaining to the college.
  - Lead strategic planning efforts throughout the college.
  - Increase gifts and endowments through active engagement in philanthropy.
  - Communicate effectively with relevant constituencies within the university, surrounding community, and state.
  - Serve as a liaison to relevant professional associations as well as state and national regulatory and accrediting agencies.
  - Additional responsibilities as assigned by the provost or president.
2. Effectively and efficiently provide leadership and direction to all the academic and research programs and centers that fall within the College of Fine Arts.
  - Promote, encourage, and support shared governance.
  - Facilitate a college environment that promotes and values communication, collaboration and that fosters collegiality.
  - Coordinate continuous, effective, and seamless interaction, engagement and coordination between the different units in the College of Fine Arts.
  - Articulate university policy and procedures to all members of the college.
  - Articulate and advocate for the budgetary and other resource needs of the college and oversee the allocation and expenditure of resources.
  - Work with academic unit leaders to encourage grant applications by faculty members for outside funding for research and other special projects.
  - Select individuals, following the solicitation of nominations and in consultation with the College Leadership Council, for the positions of Associate Dean.
  - Appoint a Director of the Center for Latin American Arts.
  - Make themselves accessible to faculty on an as-needed basis.
3. Serve as the chief academic officer for the College of Fine Arts.

- Oversee the assessment and development of academic programs.
- Oversee all personnel matters involving academic and non-academic employees including recruitment, appointment, reappointment, termination, and dismissal; faculty evaluation, tenure and promotion, and merit raises.
- Oversee the use of facilities assigned to the college.
- Ensure that student, faculty and staff grievance procedures are fair and equitable per the procedures established in the UTRGV HOP.

**Term of Office:**

The Dean shall serve at the will and pleasure of the President of the University of Texas Rio Grande Valley.

**Review and Evaluation:**

In accordance with UTRGV HOP ADM 06-301, Evaluation of Academic Administrators, the dean shall be reviewed annually by their immediate administrative supervisor as designated in the appropriate division organizational chart. Additionally, a comprehensive review of the dean is initiated:

- Three years after the initial administrative appointment (and at least every five years thereafter).
- Upon the request of two-thirds of the tenure-track and tenured faculty in the academic units of the College of Fine Arts.

A comprehensive review of the dean will include evaluative feedback from faculty, staff, students, supervisors, and peers. This evaluation shall constitute a demonstrably significant component of the evaluation performed by upper administration.

The College of Fine Arts Bylaws & Parliamentary Procedures Committee will initiate a vote for comprehensive review of the dean within three years of the previous comprehensive review.

**APPENDIX C: ASSOCIATE DEANS OF THE COLLEGE**

**Description:**

The associate deans assist the dean and serve the College of Fine Arts through a combination of participation in university and college committees, leadership of special projects, and representation of the college within the university and community.

**Selection:**

Associate deans are appointed by the dean, following the solicitation of nominations and in consultation with the academic unit directors and other members of the College Leadership Council that are not candidates for the associate dean position.

**Duties and Responsibilities:**

The associate deans of the college shall perform various duties as assigned by the dean. Associate deans shall be non-voting members on all college standing committees, except for the College Tenure & Promotion Committee.

**Terms of Office:**

Associate Deans shall serve renewable, three-year terms, at the will and pleasure of the dean of the college.

**Review and Evaluation:**

In accordance with UTRGV HOP ADM 06-301, Evaluation of Academic Administrators, associate deans shall be reviewed annually by their immediate administrative supervisor as designated in the appropriate division organizational chart. Additionally, a comprehensive review of each associate dean is initiated:

- Three years after the initial administrative appointment (and at least every five years thereafter).
- Upon the request of two-thirds of the tenure-track and tenured faculty in the academic units of the College of Fine Arts.

A comprehensive review of the associate dean should include evaluative feedback from faculty, staff, students, supervisors, and peers, as appropriate. This evaluation shall constitute a demonstrably significant component of the evaluation performed by upper administration.

The College of Fine Arts Bylaws & Parliamentary Procedures Committee will initiate a vote for comprehensive review of the Associate Deans within three years of the previous comprehensive review.

**APPENDIX D: DIRECTORS AND CHAIRS OF ACADEMIC UNITS**

See UTRGV HOP ADM 06-303, Appointment, Evaluation, Role and Responsibilities of School Directors and Department Chairs.

Each academic unit's voting faculty who wish to raise or address faculty grievances regarding the chair or director's performance of their duties should refer to UTRGV HOP ADM 06-111, Faculty Grievances.

**APPENDIX E: RELATED REGULATIONS AND POLICIES**

UT System Board of Regents' Rules and Regulations Rule 31001, Faculty Appointments and Titles

UT System Board of Regents' Rules and Regulations Rule 31006, Faculty Workload and Reporting Requirements

UT System Board of Regents' Rules and Regulations Rule 31101, Evaluation of Administrators

UT System Board of Regents' Rules and Regulations Rule 40101, Faculty Role in Educational Policy Formulation  
UTRGV HOP ADM 05-100, UTRGV Faculty Senate Constitution  
UTRGV HOP ADM 06-101, The Faculty Role in Shared Governance  
UTRGV HOP ADM 06-106, Faculty Rights and Responsibilities  
UTRGV HOP ADM 06-301, Evaluation of Academic Administrators  
UTRGV HOP ADM 06-304, Academic Committees and Councils  
UTRGV HOP ADM 06-501, Faculty Workload  
UTRGV HOP ADM 06-505, Faculty Tenure and Promotion

## **APPENDIX F: MERIT SALARY DISTRIBUTION POLICY**

The policy below pertains only to College of Fine Arts full-time faculty of all ranks. Regarding merit salary raises for staff, the College of Fine Arts follows annually published institutional guidelines.

### **1. How will eligibility for merit be determined?**

- Eligibility for merit will follow School or Department guidelines and UTRGV Eligibility Criteria.

Typically, eligibility for a merit pay increase includes the following criteria:

- o Overall Annual Review Performance Ratings: Ratings of Meets or Exceeds Expectations for the period of review under consideration are typically required by UTRGV. Note that some Schools or Departments also require Meets or Exceeds Expectations ratings for all areas of review (Teaching, Research/Scholarship, and Service). Consult Department or School Guidelines for more specific eligibility information.
- o Faculty rank and date of hire. Typically, faculty must have been hired into a tenured or tenure-track position or multi-year budgeted non-tenure track position by the beginning of the previous fiscal year (i.e., a faculty member would need to be hired on or before September 1, 2022 to be eligible for a merit raise for the 2023-2024 fiscal year).
- o Completion of annual outside activities and interest disclosure and mandatory compliance trainings required by UTRGV.
- o Faculty must have no formal disciplinary action in their file since the beginning of the previous academic year, and no formal disciplinary action that precludes consideration for the relevant time period.
- o Timely completion by the faculty member of the previous year's annual review process.
- o Faculty who are on approved leave are eligible to receive merit if all other criteria are met.
- o The following faculty are typically not eligible for merit pay increases:
  - Short-term non-tenure track faculty
  - Visiting faculty appointments
  - Adjunct faculty on a semester appointment basis

- These criteria are subject to change. Consult yearly UTRGV Faculty Merit Guidelines for updated policies.

## **2. How will the merit pool be distributed in the College of Fine Arts?**

- When merit funds are available, all eligible faculty will receive a percentage increase to their base salary. The increase will be calculated using a base percentage which will increase or decrease to match the available merit pool.
- The base percentage will be determined by the percentage of faculty salaries used to determine the merit pool by the UTRGV Faculty Merit Guidelines for that year. Merit increases for faculty receiving a performance rating of Exceeds Expectations will start at the percentage used to compute the merit pool. Merit increases for faculty receiving a performance rating of Meets Expectations will start at 0.5% less than the percentage used to compute the merit pool.
  - o For example, if the merit pool for the College of Fine Arts will be 2% of all faculty salaries, then the base percentage increase for faculty with Exceeds Expectations would be 2%, and the base percentage increase for faculty with Meets Expectations would be 1.5%.
- If UTRGV and/or the UT System mandate a minimum merit increase, and this methodology does not meet that minimum for certain faculty, those faculty affected will receive the minimum allotment that is mandated.
- If, after the above methodologies are applied, there are remaining funds, or a lack of funds, in the merit pool, the merit increases will be adjusted using the same fixed difference of 0.5% until the merit increases are covered and the pool has been exhausted.
- Merit increases will be capped at the Maximum Adjustment limit set for that fiscal year.

## **3. How will overall performance ratings be determined?**

- For departments which require a period of review including the previous three annual reviews to determine eligibility, the performance rating for purposes of merit will be determined by the following rules:
  - o Exceeds Expectations: Faculty must have an overall rating of Exceeds Expectations for two of the three years under review.
  - o Meets Expectations: Faculty must have an overall rating of Meets Expectations for two of the three years under review.
- For departments which require a period of review including the previous year's annual review to determine eligibility, or if the school or department guidelines do not specify a period of review to determine eligibility for a merit pay increase, the performance rating for purposes of merit will be determined by the overall performance rating of the faculty member's most recent annual review.
- If faculty receive a performance rating of Does Not Meet Expectations or Unsatisfactory in any area of review (Teaching, Research/Scholarship, or Service) over the period of review, their eligibility will be determined by their School or Department's guidelines for merit eligibility.
- In the event that UTRGV has not awarded a merit increase to the faculty at large in an extended amount of time (predating the period of review mandated by the department or school guidelines), merit eligibility and award will be based on performance reviews



from the end of the last merit award cycle. The performance rating used to determine merit will be the overall rating most frequently given to the faculty member over the period of review.

- In all cases, the performance rating given at the highest level of administrative review will be used.