

A Brief Policy Analysis of HOP 06-503

Goals

HOP 06-503 articulates principles, practices, and processes that should (1) help tenure-track faculty build tenure-worthy careers and (2) help evaluators make the best tenure decisions possible in a timely manner.

Central Problems

The Office of the Provost identified these two problems with the current implementation of 06-503:

- Problem One: Too few yearly reviews and tenure recommendations use the standards and principles in 06-503 to exhibit the evaluative, advisory, and qualitative judgement necessary to help cultivate and retain the best faculty at the university.
- Problem Two: Too few yearly reviews (and tenure recommendations) are completed in a timely manner to help guide tenure-track faculty toward achieving the tenure standards in 06-503.

Why the Status Quo is Unacceptable

If these problems are allowed to persist, then too many tenure-track faculty will lack the necessary mentorship and guidance to build tenure-worthy careers and earn tenure at UTRGV.

Problem One: Causes and Solutions

While the Provost's Office has worked to substantially lessen the degree of the first problem by designing and delivering trainings about how to improve tenure-track dossiers and the evaluative judgements of those dossiers, the underlying cause of this problem lies in the current configuration of HOP 06-503.

- First Cause – HOP Standards Are Vital but Too Vague: Too few reviews use the HOP-designated standards of quality, significance, impact, and trajectory because 06-503 does not explicitly link those standards to the functioning of the university and does not explain how to incorporate those principles into an evaluation. We expect that by implementing the four solutions below 06-503 will be more informative, of greater use, and make the goals of the policy more achievable.
 - Solution: We propose a newly drafted Section "C. Policy" that emphasizes the importance of UTRGV to the region and the importance of faculty performance to UTRGV. This new draft clearly links the tenure standards to a high-functioning university and demonstrates an understanding of how faculty performance is the primary driver of UTRGV's success. An important aspect of faculty performance and a high-functioning university is the protection of academic freedom, which our proposal now makes explicit.
 - Solution: We propose a new Section "D.3 Categories of Performance" that combines the existing Appendix B with a more detailed elaboration of the existing standards. This new section provides more information about how to incorporate the standards of quality, significance, impact, and trajectory into reviews and judgements. To be of even more help, we reference the template "Tenure and Promotion Guidelines for Tenure-Track Faculty" in Section D.3.g. This template provides detailed guidance to both tenure-track faculty and their tenured evaluators about how to implement Section D.3.

- Solution: Regarding the potential cases of early tenure, we propose Section “D.2.c Prior Academic Achievements” as a way of better specifying how credit from another institution will count towards achieving our standards. Instead of merely counting time, we propose that specific achievements be listed in advance to avoid confusion about how the tenure-track faculty member is progressing toward tenure and how much work the faculty member should complete during their probationary period at UTRGV. We also propose edits to Section “D.2.e Early Application for Tenure and Promotion” indicating how extraordinary it will be to achieve the HOP-designated standards early.
- Solution: To stress the importance of achieving the HOP-designated standards for tenure (as opposed to using department/college guidelines without reading or referencing HOP), we propose adding sections “D.3.g” through “D3.j.”
- Second Cause – Current Annual Review Process for Tenure-Track Faculty is Incompatible with Goals of 06-503 and Curtails the Use of Existing HOP Standards: The goals of 06-503 are to cultivate tenure-worthy careers and foster tenure decisions that retain the best tenure-track faculty at UTRGV. Too few reviews use the HOP-designated standards to achieve these goals because the current 06-503 attempted unsuccessfully to merge two incompatible processes: *annual* review and *cumulative* evaluation for tenure. Despite this attempt, the current wording of 06-503 makes clear that it is impossible to combine these two distinct decisions into the same process (see the template for evidence of this claim). *Regents’ Rules* do not stipulate that tenure-track faculty should be subject to the annual review process found in the current 06-503, and *Regents’ Rules* certainly do not stipulate that tenure decisions should result from that annual review process.

Regents’ Rule 30501 states that the university must implement an “annual evaluation program for all employees” and that “faculty in tenure-track appointments will be evaluated pursuant to criteria contained in these *Rules and Regulations* and procedures and criteria that have been approved for the inclusion in the institutional *Handbook of Operating Procedures*.” Given that Rule 30501 provides no further guidance on how to conduct the yearly evaluations, it was customary but not wise to apply the annual review guidelines for tenured faculty found in *Regents’ Rule* 31102 to tenure-track faculty. This custom results in using the terminology of “meets” and “exceeds” expectations to evaluate tenure-track performance each year and thereby creating the perceived dilemma of being denied tenure after receiving some combination of “meets” and “exceeds” expectations throughout the probationary period.

It was likely in response to this perceived dilemma that the current 06-503 sought to merge the *cumulative* reviews of tenure-track faculty with the *annual* review process so that if tenure-track faculty received some combination of “exceeds” or “meets” expectations they would be awarded tenure, but this merger proved to be both a rhetorical and literal impossibility (see the tenure-track template for evidence). The current 06-503 suffers from a double wrong in this sense: (1) we should not subject tenure-track faculty to the annual review found in *Regents’ Rule* 31102, and (2) we should not subject the tenure decision to the wrong found in (1). The result of this double wrong has been poor mentorship and poor judgement.

Annual review tends to be a series of checklists and thresholds designed for faculty to easily know when they “meet” or “exceed” expectations each year. This style of evaluation lends itself

to a rotation of committee members who are all capable of conducting this type of evaluation each year. When the tenure recommendation is subjected to the accumulation of discrete annual reviews (and department tenure standards follow the format of annual review minimums and quantitative thresholds), it seduces the tenure committee to think that tenure recommendations require little judgement and decision-making. This approach risks turning the practice of the tenure recommendation into automatic qualification – once the applicant surpasses the minimums they should receive (early) tenure. As a result, recommendations for tenure tend to be little more than a rephrasing of narratives drafted by the candidates and previous levels of review. The current 06-503 is the wrong solution to the perceived dilemma of candidates “exceeding” and “meeting” expectations every year only to be denied tenure. It was the wrong solution in part because *annual* reviews focused on discrete activities and thresholds cannot be *cumulative* reviews focused on the standards in HOP.

The goals of 06-503 would be better served by a process that eliminates the unnecessary application of *Regents’ Rule* 31102 to tenure-track faculty. We expect that implementing the four solutions below 06-503 will restore the requisite mentorship and judgement to the process of evaluating tenure-track faculty, which helps achieve the goals of the policy.

- Solution: We propose to eliminate the unnecessary application of *Regents’ Rule* 31102 to tenure-track faculty, which drops the labeling of “exceeds” or “meets” expectations to describe their performance. This change not only eliminates the perceived dilemma of having those positive ratings applied to yearly performances and being denied tenure, but also (and more importantly) forces evaluations to be more concerned with career trajectory and attainment of the standards in HOP. These evaluations should help restore the mentorship necessary to build tenure-worthy careers and the judgement necessary to make good tenure decisions.
 - This change will likely have a boomerang effect of reducing the demands placed on tenured and NTT faculty during annual review. It is likely that much of the burden of annual review derives from the inclusion of tenure-track faculty into that process.
- Solution: We propose a new Section “D.4 Yearly Reviews” that establishes a new process of implementing *Regents’ Rule* 30501. This section establishes yearly Probationary Reviews. These reviews are already allowed by the current 06-503 (it is simply a syllogism: tenure-track faculty are on probation, they must be reviewed yearly while on probation, hence, we are calling them Probationary Reviews), but we want to use these Probationary Reviews to replace the annual review that is currently in place. As indicated in Section D.4, these reviews are tangibly different from the annual reviews as currently practiced and deploy the same Categories of Performance used to make tenure recommendations.
 - An impending issue that is unrelated to the problems we are trying to solve with a new draft of 06-503: tenure-track faculty need to be entered into the Merit pool when it exists. They will not have the ratings of “meets” or “exceeds” expectations.

- Solution: We propose a new Section “D.4.d Tenure Evaluation and Advisory Committee (TEAC)” that replaces the old tenure and promotion committees at the department level. TEAC is designed specifically to achieve the goals of 06-503. TEAC becomes the main vehicle by which tenure-track faculty are mentored, and TEAC’s structure should help foster better judgements and more in-depth tenure recommendations.
- Solution: We propose a new Section “D.4.h Third-Year Review” that includes a Probationary Review by the Provost. This Provost review is vital for tenure-track faculty so that they know how best to adjust their decision-making to achieve the HOP-designated standards and the goals of 06-503.

Problem Two: Causes and Solutions

Yearly evaluations of tenure-track faculty and tenure recommendations take too long.

- First Cause – Time to Auto-Advance is Too Long
 - Solution: For TEAC Probationary Reviews, the dossier now auto-advances to the next level of review after just two business days (see D.4.d.vii). For levels with reconsideration requests, the auto-advancing of the dossier occurs after 5 business days.
- Second Cause – Request for Reconsideration at Every Level
 - Solution: For Probationary Reviews, tenure-track faculty may only request reconsideration of the Department Chair (see D.4.e.i)
 - Solution: For the tenure recommendation, tenure-track faculty may only request reconsideration of the Department Chair and the Provost (see D.5.e)
- Third Cause – Time Frame during the Request for Reconsideration is Too Long
 - Solution: The time frame is reduced to 5 business days for the tenure-track faculty member and 5 business days for those reconsidering their original recommendation. For the Provost, the time frame is 10 business days (see D.5.e.i and D.5.e.ii)
- Fourth Cause – Too Many Levels of Review
 - Solution: Eliminating the College Tenure and Promotion Committee

A Positive By-Product of These Proposed Changes

The appendices are no longer necessary and will be deleted.