

**To:** Board of Trustees

**From:** Sarah Projansky, Vice Provost for Faculty and Academic Affairs  
Angela Fagerlin, Associate Vice President for Faculty, U of U Health  
Mitzi Montoya, Senior Vice President for Academic Affairs  
Michael Good, Senior Vice President for Health Sciences

**Date:** December 9, 2024

**Re:** Revision of Policy 6-321: Tenured Faculty Reviews (TFR)

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**Introduction:**

The Academic Senate approved the revision of Policy 6-321 with minor edits to the rating scale on Monday, December 2, 2024. The attached draft is now submitted for your approval.

To assist with your review, a short overview of the substantive revisions is listed below. Policy 6-321:

1. was renamed to better reflect the content, and reorganized and reformatted for compliance with the university policy template;
1. describes the required reviews for tenured faculty and the file and process requirements for each type of review;
2. protects academic freedom in the TFR and annual performance review process;
3. includes the required participation of tenured faculty peers from the academic unit and outside the academic unit and the provost or designee through a subcommittee structure of the TFR Committee;
4. describes the TFR Committee appointment process;
5. articulates the procedures for both an improvement plan and a remediation plan to address any identified deficiencies;
  - a. Remediation plans are required by state law. Improvement plans are mentioned in state law.
6. notes the presidential reporting requirement in general terms with the details remaining in both state law and USHE guidance; and
7. sets University minimum performance standard for Tenured Faculty as “satisfactory” in all applicable review criteria.

Additional information regarding the shared governance and policy review process can be provided upon request.

**Attachments:**

- Proposed Policy 6-321: Required Reviews for Tenured Faculty

**To:** Academic Senate

**From:** Sarah Projansky, Vice Provost for Faculty and Academic Affairs  
Angela Fagerlin, Associate Vice President for Faculty, U of U Health

**Date:** November 26, 2024

**Re:** Revision of Policy 6-321: Tenured Faculty Reviews (TFR) Debate Calendar

**Introduction:**

On November 4, 2024, the policy owners presented the shared governance procedure used to update the TFR policy and the policy draft highlighting feedback received and incorporated during the shared governance process and provided an opportunity for additional feedback.

To assist with your review, the additional feedback incorporated since the intent calendar presentation has been redlined on the updated policy draft. Feedback incorporated prior to the intent calendar presentation has been accepted for ease of review. The redlined recommendations are described below. In addition, the materials shared for the intent calendar discussion are attached.

*Recommendations added since Intent Calendar Draft (see tracked changes in policy draft):*

1. Addition of duty of the department chair to ensure applicable reviews are completed as per current Policy 6-321.
2. Clarified the relationship to other policies and processes as per current Policy 6-321.
3. Updated name of TFR Guidelines to TFR Statements to differentiate between university regulation types and for consistency with naming convention across university regulations.
4. Clarified that the TFR standards and evidence of meeting those standards shall be articulated in the unit's TFR Statement.
5. Added requirement that evidence be included in the next TFR file that resources promised in an improvement or remediation plan have been provided.
6. Addition of shared-unit report and the ability for the reviewed faculty member to include other evidence as desired, both of which are allowed in the current TFR Template and university regulations.
7. Updated TFPS chair selection process.
8. Clarified how TFR Committee members are appointed.
9. Included "The AULS may consult with the TFPS chair and/or the candidate as part of their deliberations" for consistency with ULS consultation and subcommittee structure and to address procedural issues as needed.
10. Requires that an improvement or remediation plan describes who will provide resources.
11. Fixed non-substantive typos and verbiage changes (not tracked).

**Remaining Policy Review Timeline:**

The anticipated timeline for the remaining review steps for Policy 6-321 is described below.

1. December 2, 2024: Academic Senate Debate Calendar

2. December 17, 2024: Board of Trustees (anticipated)
3. January 1, 2025: Effective Date (anticipated)

**Attachments:**

- Proposed Policy 6-321: Required Reviews for Tenured Faculty (Debate Calendar)
- Intent Calendar Materials
  - Cover Memo
  - Policy 6-321 Draft
  - Intent Calendar Powerpoint

### Proposed University of Utah Regulation Revision

General Regulation Information	
<b>Regulation proposed for enactment/revision</b>	Policy 6-321: Tenured Faculty Reviews (TFR)
<b>Policy owner(s)</b>	Associate Vice President for Faculty and Associate Vice President for Health Sciences
<b>Policy officer(s)</b>	Sr. Vice President for Academic Affairs and Sr. Vice President for Health Sciences
<b>Contact person(s)</b>	Trina Rich
<b>Other related regulations with proposed revisions</b>	
<b>Planned effective date of revisions</b>	By January 1, 2025
<b>Brief (1-2 sentence) description of revisions and reason for revision</b>	<ul style="list-style-type: none"> <li>• Updating related to changes in state law (53B-2-106.1)</li> <li>• Moving to policy template</li> </ul>

Consultation and Approval	
<b>Groups and Stakeholders Consulted</b>	
Ad Hoc TFR Committee-Summer 2024	Academic Leaders Online-October 3, 2024
SACAP-October 17, 2024	
Academic Affairs Policy Group-October 9, 2024	
Open Town Halls-September 23 & October 8, 2024	
<b>Required Approval Steps and Date (if applicable)</b>	
Council of Academic Deans (if applicable)	September 19, 2024
Institutional Policy Committee	October 11, 2024
Academic Senate Executive Committee	October 21, 2024
Vice President or Designee	Pending
Academic Senate (if applicable)	Intent: November 4, 2024 Debate: December 2, 2024
Board of Trustees (if applicable)	Pending, planned December 17, 2024

**Policy 6-321: Required Reviews for Tenured Faculty.**

Revision 2. Effective date: Pending

- I. Purpose and Scope** ..... 2
- II. Definitions** ..... 3
- III. Policy** ..... 3
  - A. Academic Freedom ..... 4
  - B. Required Reviews ..... 4
  - C. Relationship to Other Policies and Processes..... 4
  - D. Annual Performance Review Procedures ..... 4
  - E. Tenured Faculty Review Statements ..... 5
  - F. Tenured Faculty Reviews (TFRs)..... 6
  - G. Reporting Requirements ..... 14
- IV. Policies/ Rules, Procedures, Guidelines, Forms and other Related Resources** ..... 15
- V. References** ..... 15
- VI. Contacts** ..... 15
- VII. History** ..... 15

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**I. Purpose and Scope**

A. Purpose.

In accord with Utah Code and Utah Board of Higher Education Policy R481, which require both routine annual performance reviews and routine in-depth reviews conducted every five years for Tenured Faculty Members, with this policy the University establishes the required reviews for Tenured Faculty Members. This policy governs the criteria, standards, evidence, and procedures for Tenured Faculty Reviews (TFRs) and requires each Academic Unit to document their annual performance review procedures.

B. Scope.

This policy applies to all Tenured Faculty Members of the University, and to all Academic Units with Tenured Faculty Members.

**II. Definitions**

The following definitions apply for the limited purposes of this policy and any associated regulations.

- A. "Academic Unit" is defined for purposes of this policy as described in [Policy 6-100](#).
- B. "Academic Freedom" is defined for purposes of this policy as described in [Policy 6-010](#).
- C. "Dean" is the administrative head of a College as defined in [Policy 2-005](#).
- D. "Degree-granting Institution" is defined for purposes of this policy as described in Utah Code 53B-1-101.5 and 53B-1-102.
- E. "Department Chair" is the administrative head of a Department as defined in [Policy 2-005](#). The Department Chair equivalent in a school or library is a Director. The Department Chair equivalent in a free-standing division is a Division Chair. In a single-department college, the Dean fulfills this role as applicable.
- F. "Tenured Faculty Member" is defined for purposes of this policy as described in [Policy 6-300](#).

**III. Policy**

A. Academic Freedom

1. The Academic Freedom of the Tenured Faculty Member is protected and defended throughout the entire TFR process and all annual performance reviews.

B. Required Reviews

1. Annual Performance Reviews: Each Tenured Faculty Member shall receive an annual performance review.
2. Tenured Faculty Reviews: Every five years, each Tenured Faculty Member shall have a comprehensive review of the Tenured Faculty Member's performance over the review period. A TFR may fulfill the annual performance review requirement for the review year.
  - a. If a Tenured Faculty Member seeks rank advancement before or at the same time as the next scheduled TFR, the University's rank advancement review constitutes the TFR.
  - b. For extensions to the review period, see Guideline G6-321A.
  - c. For reductions in the review period related to improvement or remediation plans, see Tenured Faculty Review Procedures below.
3. It shall be the duty of the Department Chair to ensure that the reviews required for each Tenured Faculty Member in the department are completed in accord with applicable regulations.

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C. Relationship to Other Policies and Processes

- 3-1. In the course of a review of a Tenured Faculty Member, as described in this policy, if an issue arises that is governed by another regulation, that issue should proceed separately as appropriate under the relevant regulation and procedure.

G-D. Annual Performance Review Procedures

1. In consultation with the faculty, the Department Chair shall develop and document in writing the annual performance review procedures and share the final procedures with the faculty of the Academic Unit, Dean, and cognizant senior vice president. Periodic revisions of the annual performance review procedures follow the same process.

- a. Two or more departments within a multi-department college may jointly adopt the same annual performance review procedures ~~by majority vote in consultation with~~ of the tenure-line faculty of each department. If all Academic Units in a college jointly adopt the same annual performance review procedures, the procedures are considered college-wide.
2. Annual performance reviews must include review of at least the following:
  - a. an updated curriculum vitae or other profile source;
  - b. course/teaching/mentoring feedback, if applicable;
  - c. prior year annual performance review or a formal Retention, Promotion, and Tenure (RPT) or TFR from prior year, as applicable; and
  - d. any current improvement or remediation plan.
3. Annual performance review procedures must include at least the following:
  - a. a rigorous review by the Department Chair or designee with feedback provided to the Tenured Faculty Member;
  - b. documentation of the completed review including the feedback provided; and
  - c. an opportunity but not obligation for the Tenured Faculty Member to respond.

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Commented [SP4]: FYI--this word is in USHE policy

#### D-E. Tenured Faculty Review Statements

1. Each Academic Unit shall develop a TFR Statement. These TFR Statements shall be formulated by the Academic Unit faculty, must be consistent with University Regulations, and must be based on the University template.
2. Department level TFR Statements and any revisions require approval by a majority of the tenure-line faculty of the department, Department Chair, Dean, Senate Faculty Review Standards Committee (SFRSC) acting as delegatee of the Academic Senate, and the cognizant senior vice president or designee.
  - a. Two or more departments within a multi-department college may jointly adopt the same TFR Statement by majority vote of the tenure-line faculty of each department and the approval of each Department Chair. If all



departments in a college jointly adopt the same TFR Statement, the statement is considered college-wide.

3. TFR Criteria

- a. TFR Statements shall address the performance of candidates with respect to the applicable review criteria of research/creative activity, teaching, service, and any other discipline specific criteria (e.g., clinical practice advancement, librarianship.)

4. TFR Standards

- a. The Academic Unit shall articulate expected standards for a Tenured Faculty Member using the same rating scale as the Academic Unit's RPT statement (excellent, [very good], effective, and not satisfactory).
- b. The minimum standard for a Tenured Faculty Member is a rating of effective in each of the applicable review criteria. An Academic Unit may select standards higher than the minimum standard if clearly described in the TFR Statement.
- c. The standards for a Tenured Faculty Member may be different from the standards for promotion to Associate Professor or Professor and/or award of tenure.
- d. The TFR standards and the evidence accepted to document that the reviewed faculty member has met those standards shall be articulated in the Academic Unit's TFR Statement. Such standards and evidence should reflect ~~some~~ flexibility to account for the possible reallocation of faculty responsibilities as reflected in the Academic Unit's workload policy or any other written workload agreement with the Tenured Faculty Member.

E-F. Tenured Faculty Reviews (TFRs)

1. A TFR file must include at least the following evidence as applicable:
  - a. an updated curriculum vitae;
  - b. a personal statement that includes a description of the Tenured Faculty Member's work in the applicable review criteria areas (e.g. research/creative activity, teaching, service, clinical practice

advancement, librarianship), and how an improvement plan or remediation plan has been addressed if applicable;

- c. evidence of research/creative activity;
- d. evidence of teaching activity including available course feedback reports since the last TFR or RPT review and at least one additional form of evidence;
- e. evidence of service activity including examples of professional, university, and public/community service, as applicable;
- f. evidence of any intellectual property owned wholly or partly by the faculty member and commercialization efforts attributed to the faculty member, as relevant;
- g. annual performance reviews since the last TFR or RPT review;
- h. the written Academic Unit workload policy and any Tenured Faculty Member's written workload agreement (redacted as needed);
- i. curriculum vitae, reports, and responses from the most recent TFR or RPT review;
- j. any improvement plan or remediation plan from the most recent TFR review, including evidence that the resources identified in that plan have been provided;
- k. any signed, written report submitted by the head of the Academic Unit with whom a faculty member's appointment is shared;
- j-l. any other material the reviewed faculty member chooses to submit; and
- k-m. final documentation from sanctionable violation(s) of university regulations.
  - i. required documentation includes letters of administrative reprimand and/or final findings and decisions from university committees or officials arising from sanctionable violations of university regulations by the Tenured Faculty Member. (See Policy 6-316);
  - ii. After ten years from the date of the sanction, a Tenured Faculty Member may request removal of evidence of violations of university regulations from a TFR file, which request may be approved or denied

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at the joint discretion of the cognizant Dean and cognizant senior vice president.

- iii. If necessary, materials should be redacted for the confidentiality of involved individuals other than the Tenured Faculty Member.

## 2. Tenured Faculty Review Procedures

### a. Timeline

- i. The Academic Unit shall choose whether the TFR will take place in the Fall or Spring Semester.

### b. University TFR Committee

The University TFR Committee for a Tenured Faculty Member's review consists of the following three subcommittees. Across the three subcommittees, membership shall include at least two tenured faculty peers from outside the department who may be from a different Degree-granting Institution.

- i. Tenured Faculty Peers Subcommittee (TFPS) with the following membership:

- 1. tenured faculty peer(s) from the Academic Unit.
- 2. Academic Units may choose to fulfill the required outside membership by including tenured faculty peers from outside the department on this subcommittee.
- 3. One subcommittee member shall be designated to act as TFPS chair. The membership shall elect one member of the subcommittee to act as subcommittee chair.

- ii. Academic Unit Leadership Subcommittee (AULS) with the following membership:

- 1. the cognizant Department Chair or designee; and
- 2. the cognizant Dean or designee.
- 3. In single department colleges, the Dean shall designate the second member of the subcommittee.

- iii. University Leadership Subcommittee (ULS) with the following membership:

1. the cognizant associate vice president for faculty or equivalent or designee; and
  2. the cognizant senior vice president or designee.
- c. Tenured Faculty Peer Subcommittee (TFPS)
- i. This subcommittee is created in accordance with the Academic Unit's fully approved TFR Statement.
    1. The Department Chair must submit the proposed membership of each TFPS and note the TFPS member elected/designated as chair to the Dean, who then forwards their recommendation to the cognizant senior vice president for approval/appointment.
    2. The TFPS shall conduct a review of the complete TFR file and report its findings and recommendations, including a specific rating on each of the applicable review criteria using the rating scale in the TFR Statement.
  - ii. The TFPS shall send the TFPS report to the Tenured Faculty Member, who has seven business days to respond if they so choose.
  - iii. The TFPS shall forward the complete file to the AULS.
- d. Academic Unit Leadership Subcommittee (AULS)
- i. Upon receipt of the complete TFR file, the AULS shall conduct a review and report their findings and recommendations including a specific rating on each of the applicable review criteria using the rating scale in the TFR Statement.
  - ii. The AULS may consult with the TFPS chair and/or the candidate as part of their deliberations.
  - iii. The AULS shall send their recommendations to the Tenured Faculty Member, copying the TFPS chair. The Tenured Faculty Member has seven business days to respond if they so choose. In addition, following the receipt of the AULS report, the Tenured Faculty Member may request review by the University Promotion and Tenure Advisory Committee (UPTAC) by submitting a request within seven business

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days of receipt of the AULS report to the cognizant Office for Faculty.

The UPTAC procedures are described below.

~~iii~~.iv. The AULS shall forward the complete TFR file to the ULS.

1. If an improvement plan or remediation plan is warranted and the Tenured Faculty Member does not request UPTAC review, the AULS shall send the complete file including the completed improvement plan or remediation plan. The improvement plan and remediation plan procedures are described below.
2. If the Tenured Faculty Member requests an UPTAC review, the UPTAC review and report shall be completed and sent to the ULS for final determination of whether an improvement plan or remediation plan is warranted. The UPTAC review procedures are described below.

e. University Leadership Subcommittee (ULS)

- i. Upon receipt of the complete TFR file including any applicable UPTAC findings and recommendations, improvement plans, and/or remediation plans, the ULS shall provide feedback on any included improvement plan or remediation plan as needed, conduct a review, and then report its findings and recommendations.
- ii. The ULS may consult with the AULS and/or the TFPS chair as part of their deliberations.

f. Finalizing a TFR

- i. If all subcommittees have rated the Tenured Faculty Member as meeting the minimum standards for all applicable review criteria, the ULS shall send its findings and recommendations to the Tenured Faculty Member, copying the AULS and TFPS chair, after which the TFR is complete.
- ii. If the Tenured Faculty Member has been rated by at least one subcommittee as not meeting the minimum standards in one or more applicable review criteria or has been found to not have made progress regarding a previous improvement plan or remediation plan and the

Tenured Faculty Member has not requested an UPTAC review and following development of the improvement plan or remediation plan and the subsequent ULS review, the ULS shall send its findings and recommendations to the Tenured Faculty Member, copying the AULS and TFPS chair, after which the TFR is complete.

- iii. If the Tenured Faculty Member has been rated by at least one subcommittee as not meeting the minimum standards in one or more applicable review criteria or has been found to not have made progress regarding a previous improvement plan or remediation plan and the Tenured Faculty Member requests UPTAC review, the ULS reviews the file after receiving UPTAC's report.
  1. Following the UPTAC review, if the ULS finds that an improvement plan or remediation plan is warranted, the ULS shall send their findings and recommendations to the Tenured Faculty Member and the AULS, copying the TFPS chair. Within thirty calendar days, the AULS shall submit the improvement plan or remediation plan to the ULS for review and feedback, after which the TFR is complete.
  2. Following the UPTAC review, if the ULS finds that an improvement plan or remediation plan is not warranted, the ULS shall send its findings and recommendations to the Tenured Faculty Member, copying the AULS and TFPS chair, after which the TFR is complete.
- g. University Promotion and Tenure Advisory Committee (UPTAC) Review
  - i. UPTAC is constituted in Policy 6-304 and shall review TFR files and make a recommendation to the ULS when a review is requested.
  - ii. Within seven business days of the receipt of the AULS findings and recommendations, the Tenured Faculty Member may request an UPTAC review if the Tenured Faculty Member disagrees with the recommendations of the TFPS or AULS. The Tenured Faculty Member submits the request to the cognizant Office for Faculty.

- iii. When requested by the Tenured Faculty Member, UPTAC shall review the complete TFR file and (1) identify the source(s) of the difference(s), (2) determine how each subcommittee addressed the difference(s) with specific note of the evidence supporting the assessment, (3) assess the degree to which the file is sufficiently clear to support any conclusive recommendation, and (4) make a recommendation regarding whether an improvement plan or remediation plan is needed based on the applicable TFR Statement and the evidence in the file.
- iv. UPTAC shall send its report to the Tenured Faculty Member who may respond within seven business days if they so choose. UPTAC shall then forward the complete file to the ULS.
- h. Improvement Plan Development
  - i. The purpose of an improvement plan is to mentor the Tenured Faculty Member.
  - ii. An improvement plan shall be developed if the Tenured Faculty Member is underperforming as indicated by a rating of not meeting the minimum standards in one applicable review criteria.
  - iii. The improvement plan shall identify concrete goals regarding how the Tenured Faculty Member can address underperformance, describe the evidence required to show the Tenured Faculty Member has addressed the underperformance, determine a review timeline for a follow-up TFR, and ~~provide-identify~~ resources and who shall provide those resources as applicable. A follow-up review timeline of a two- to three-year period is recommended, as appropriate to the concerns.
  - iv. The improvement plan shall consider the specific circumstances of the Tenured Faculty Member, including any written workload agreement (redacted as needed).
  - v. The TFPS chair, the Department Chair, and the Tenured Faculty Member shall collaboratively develop the improvement plan. The development of the improvement plan should be completed within thirty calendar days. The Dean shall work with the involved parties to

**Commented [SP11]:** This word is used in state law in relation to improvement plans.

resolve any conflicts that arise during the development of the improvement plan.

- vi. The AULS shall submit the improvement plan as part of the complete TFR file to the ULS for review (as described above).
- vii. Approximately halfway between the TFR during which an improvement plan is developed and the next scheduled TFR, the Department Chair or designee and the Tenured Faculty Member shall meet to discuss progress on the improvement plan and identify any additional resources needed, if relevant.
- viii. As part of the next TFR, each subcommittee shall include an evaluation of the Tenured Faculty Member's progress on the improvement plan and an evaluation of whether the resources identified in the improvement plan have been provided.
- ix. As determined in the next TFR, failure to address deficiencies in an improvement plan shall result in a remediation plan.
  - i. **Remediation Plan**
    - i. The purpose of a remediation plan is to help the Tenured Faculty Member address **deficiencies.**
    - ii. A remediation plan shall be developed if a Tenured Faculty Member has been rated as not meeting the minimum standards in two or more applicable review criteria; or if a Tenured Faculty Member has failed to address the underperformance identified in an improvement plan from a prior TFR review.
    - iii. The remediation plan shall identify concrete goals regarding how the Tenured Faculty Member can address deficiencies, describe the evidence required to show the Tenured Faculty Member has addressed the deficiencies, determine a timeline for a follow-up TFR, and ~~provide~~ identify resources and who shall provide those resources as applicable. A follow-up review timeline of a two to three-year period is recommended, as appropriate to the concerns.

**Commented [SP12]:** Required by state law

**Commented [SP13]:** This word is used in state law in relation to remediation plans.



- iv. The remediation plan shall consider the specific circumstances of the Tenured Faculty Member, including any written workload agreement (redacted as needed).
- v. The TFPS chair, the Department Chair, and the Tenured Faculty Member shall collaboratively develop the remediation plan. The development of the remediation plan should be completed within thirty calendar days. The Dean shall work with the involved parties to resolve any conflicts that arise during the development of the remediation plan.
- vi. The AULS shall submit the remediation plan as part of the complete TFR file to the ULS for review (as described above).
- vii. Approximately halfway between the TFR during which a remediation plan is developed and the next scheduled TFR, the Department Chair or designee and the Tenured Faculty Member shall meet to discuss progress on the remediation plan and identify any additional resources needed, if relevant.
- viii. As part of the next TFR, each subcommittee shall include an evaluation of the Tenured Faculty Member's progress on the remediation plan and an evaluation of whether the resources identified in the remediation plan have been provided.
- ix. Failure to address deficiencies identified in a remediation plan may result in disciplinary action including the possibility of termination under the Faculty Code (See Policy 6-316).

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**F.G. Reporting Requirements**

- 1. By October 1 of each year, the president shall provide an annual report regarding TFRs from the prior academic year to the Utah Board of Higher Education with the information and in the format requested by the Utah Board of Higher Education.

Commented [SP15]: Required by state law

Sections IV- VII are for user information and are not subject to the approval of the Academic Senate or the Board of Trustees. The Institutional Policy Committee, the Policy Owner, or the Policy Officer may update these sections at any time.

#### **IV. Policies/ Rules, Procedures, Guidelines, Forms and other Related Resources**

- A. Policies/ Rules. [ *reserved* ]
- B. Procedures, Guidelines, and Forms.
  - 1. Guideline 6-321A: Extensions to the TFR Period
- C. Other Related Resources. [ *reserved* ]

#### **V. References**

- A. [ *reserved* ]

#### **VI. Contacts**

The designated contact officials for this Regulation are

- A. Policy Owner(s) (primary contact person for questions and advice): Vice Provost for Faculty and Academic Affairs and Associate Vice President for Faculty, Health Sciences.
- B. Policy Officer(s): Sr. Vice President for Academic Affairs and Sr. Vice President for Health Sciences.

See Rule 1-001 for information about the roles and authority of policy owners and policy officers.

#### **VII. History**

Revision History.

- A. Current version. Revision 2.
  - 1. Approved by -- Academic Senate **[date]**, and Board of Trustees **[date]**, with effective date of **[date]**.
  - 2. Legislative History

3. Editorial Revisions

B. Previous versions.

1. Revision 1. Effective Date. May 17, 2024 to Pending
  - a. Legislative History for Revision 1.
2. Revision 0. Effective Date. July 1, 2017 to May 16, 2024
  - a. Legislative History for Revision 0.

**To:** Council of Academic Deans (CAD)  
Institutional Policy Committee (IPC)  
Senate Advisory Committee on Academic Policy (SACAP)  
Academic Senate Executive Committee (ASEC)  
Academic Senate  
Board of Trustees

**From:** Sarah Projansky, Vice Provost for Faculty and Academic Affairs  
Angela Fagerlin, Associate Vice President for Faculty, U of U Health  
Ad Hoc Committee for TFR Regulations (membership listed at the end of this memo)

**Date:** Fall Semester 2024

**Re:** Revision of Policy 6-321: Tenured Faculty Reviews (TFR)

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**Introduction:**

In response to recent changes in state law (§53B-2-106.1) and Utah Board of Higher Education regulations (R481) related to Annual Performance Reviews and Tenured Faculty Reviews (TFRs), and in response to institutional feedback regarding the current TFR process, the University created an Ad Hoc TFR Committee to provide feedback as part of a shared governance process. As charged, the Ad Hoc TFR Committee reviewed the following requirements and feedback:

*Legal Requirements:*

1. Institutional TFR policies shall protect academic freedom in teaching, research, and in an individual's personal life;
2. The TFR review shall be conducted by a committee of:
  - a. tenured faculty member peers, appointed by the appropriate vice president at the university in consultation with the department chair, including at least two individuals appointed from a different department, a different degree-granting institution, or both; and
  - b. the provost [i.e., cognizant SVP] or designee.
3. The TFR shall include a comprehensive review of the tenured faculty member's performance over the past five years including:
  - a. Teaching, including student evaluations,
  - b. scholarly research,
  - c. service to the profession, school, or community,
  - d. annual performance reviews,
  - e. intellectual property owned wholly or partly by, or commercialization efforts attributed to, the tenured faculty member;
  - f. compliance with university policies, and
  - g. any improvement plans for underperformance.
4. For tenured faculty not meeting established standards, the university shall create a remediation plan to address identified deficiencies and a timeline by which the tenured faculty member is expected to address the deficiencies.

5. In consultation with the Department Chair, the Cognizant SVP shall appoint the TFR Committee.
6. Presidential reporting requirements related to TFRs.

#### *Utah Board of Higher Education Specific Requirements*

1. Utah Board of Higher Education Policy R481 requires each institution to develop “a rigorous annual review procedure for all faculty members.”

#### *Institutional Requests:*

1. Review the interim policy language in Policy 6-321.
2. Consider how to address new workload policies in relation to TFRs.
3. Evaluate and improve the current role of the faculty review committee, department chair, dean, and UPTAC in a TFR.
4. Strengthen the usefulness of the current TFR process for the reviewed faculty member and for the institution.

#### **Recommendations/Proposed Solutions:**

The TFR Ad Hoc Committee met regularly throughout the summer and has made recommendations on how to address each of the listed items. As policy owners, we support these recommendations.

#### *Legal Requirement Recommendations:*

1. Revise the interim academic freedom language to be more concise for purposes of this policy and the TFR.
2. Meet state law requirements regarding TFR Committee membership by defining a “University TFR Committee,” to include reviews by the following subcommittees:
  - a. Tenured Faculty Peers Subcommittee (TFPS): tenured faculty peers from the academic unit and at least two tenured faculty peers from outside the department who may be from another degree granting institution;
  - b. Academic Unit Leadership Subcommittee (AULS): department chair or designee and the dean or designee; and
  - c. University Leadership Subcommittee (ULS): cognizant associate vice president for faculty or designee and cognizant senior vice president or designee.
  - d. In addition, the department chair must submit the membership of each TFPS to the cognizant senior vice president for approval, which meets the legal requirement of cognizant vice president appointment of committee members in consultation with the department chair.
3. To meet the annual review documentation requirement, the policy includes the minimum requirements for an annual review. As well, the policy includes a list of minimum file requirements for inclusion in a TFR, including documentation of completed annual reviews.
4. Create procedures for an improvement plan and a remediation plan based on a definition of what it means to not meet academic unit expectations of a tenured faculty member. Remediation plans are required by state law. Improvement plans are mentioned in state law. The Committee chose to include both types of plans in the proposed policy, to ensure *both* appropriate mentorship for faculty *and* a means for addressing significant deficiencies when they arise and/or persist.
  - a. The improvement plan is created when a tenured faculty member is found not to be meeting academic unit expectations in one review area.

- b. The remediation plan is created when a tenured faculty member is found not to be meeting academic unit expectations in two or more review areas and/or fails to address underperformance as identified in a prior improvement plan.
5. To address required appointment by the cognizant senior vice president, the department chair must submit the membership of the Tenured Faculty Peer Subcommittee to the cognizant senior vice president for approval.
6. Note the presidential reporting requirement in the policy in general terms with the details remaining in both state law and USHE guidance.

*Utah Board of Higher Education Specific Requirement Recommendations:*

1. To address the rigorous annual review procedure requirement in Board Policy R481, the committee outlined the minimum requirements for an annual review of a tenured faculty member. In addition, the policy requires academic units to develop and document the academic unit's annual review procedure that meet the minimum requirements in policy. The Department Chair or designee shall share this procedure with the dean and cognizant SVP.

*Institutional Request Recommendations:*

1. Proposed revisions to the interim policy language for clarity and to better address the state requirements.
2. Consideration of faculty workload in the TFR, including what the standard workload is for the academic unit faculty with or without any adjustments.
3. Improvement of the current roles of the faculty review committee, department chair, dean and UPTAC:
  - a. Formalize the department chair and dean role with a joint review with recommendations.
  - b. Place responsibility for evaluation of whether the reviewed faculty member is meeting standards with tenured faculty peers, and place responsibility for developing the improvement plan or remediation plan jointly with the faculty member and department chair (with input from tenured faculty peers and the dean, as necessary). The Ad Hoc Committee thinks that by separating these two steps, each participant in the process will be able to better fulfill their responsibilities.
  - c. Improve UPTAC's role by changing the appeal to UPTAC to come solely from the tenured faculty member under review, and revise UPTAC's responsibilities to be similar to those in the RPT policy (Policy 6-303). The Ad Hoc Committee thinks these changes will make UPTAC's input more meaningful and useful.
4. Upon review of the overall TFR process, the committee recommends the following updates:
  - a. Tie standards used in RPT to TFR for consistency and clarity (i.e., excellent, [very good], effective, and not satisfactory)
  - b. Set University minimum performance standard for Tenured Faculty as "effective" in all applicable review criteria.
  - c. Articulate that Academic Unit TFR standards may be different than RPT standards for Promotion and/or Tenure to emphasize that a TFR is not a "re-review" for tenure.
  - d. Allow for an academic unit to choose to set higher standards than the minimum.

*Recommendations added during Fall 2024 Shared Governance Process (see tracked changes in policy draft):*

1. Addition of dean support of TFPS membership (CAD recommendation)
2. Expand description of course feedback to include teaching and mentoring (Academic Senate recommendation)
3. Addition of Tenured Faculty Member response to UPTAC report prior to University Leadership Subcommittee review. (Townhall recommendation)
4. Addition of the definition of “Degree-granting Institution” for compliance with Utah Code [53B-1-105.5](#) and [53B-1-102](#). (Policy Office recommendation)
5. Non-substantive rewording of sections to use more directive policy language (Policy Office recommendation, not tracked)

### **Policy Owner Recommendations:**

In addition to the recommendations from the committee, as policy owners, we included the following edits:

1. Format TFR policy to the University Policy Template.
2. Update policy title to better reflect contents.
3. Reorganize and rewrite the policy and procedures for clarity and ease of use.

### **Policy Revision Process and Timeline:**

The planned revision and review timeline for Policy 6-321 implementation by January 1, 2025 is described below.

1. April 2024: Presentation to Academic Senate Executive Committee and Full Academic Senate explaining a multi-step approach including the creation of the TFR Ad Hoc Committee and the interim policy procedures.
2. May 17, 2024: Approval of Interim Policies 6-303 and 6-321
3. May 2024: Creation of the TFR Ad Hoc Committee with bi-weekly meetings starting in May 2024 and running through August 2024.
4. August 2024: TFR Ad Hoc Committee recommendations finalized.
5. September 19, 2024: Presentation to Council of Academic Deans (CAD)
6. September 23 and October 8, 2024: Open Town Halls
7. October 3, 2024: Academic Leaders Online (Chairs, Associate Deans, Deans)
8. October 9, 2024: Academic Affairs Policy Group
9. October 11, 2024: Institutional Policy Committee
10. October 17, 2024: Senate Advisory Committee on Academic Policies
11. October 21, 2024: Academic Senate Executive Committee: Notice of Intent
12. November 4, 2024: CAD (if additional edits make this necessary)
13. November 4, 2024: Academic Senate: Notice of Intent
14. November 18, 2024: Academic Senate Executive Committee
15. December 2, 2024: Academic Senate
16. December 17, 2024: Board of Trustees

### **Ad Hoc Committee for TFR Regulations Membership**

- Jen Brown, Senior Associate Dean for Faculty, David Eccles School of Business
- Tim Brusseau, Department Chair, Health & Kinesiology; Chair, Senate Faculty Reviews Standards Committee
- Kirsten Butcher, Associate Dean for Research, College of Education
- Mollie Cummins, Professor, Nursing
- Yekaterina Yuryevna Epshteyn, Professor, Mathematics

- Leslie Francis, Professor, Law; Professor, Philosophy
- Mark Glick, Professor, Economics
- Isabel Moreira, Associate Dean for Research, Humanities
- Christy Porucznik, Vice Dean for Faculty, School of Medicine
- José Rodriguez, Associate Vice President, U of U Health
- Pedro Romero, Associate Professor, Civil & Environmental Engineering; Chair, Senate Advisory Committee on Academic Policy
- Sarah Projansky, Vice Provost for Faculty & Academic Affairs (*ex officio*)
- Angie Fagerlin, Associate Vice President for Faculty, U of U Health (*ex officio*)
- Kristen Keefe, Assistant Vice President for Faculty, U of U Health (*ex officio*)
- Trina Rich, Director, University & Academic Affairs Policy (*ex officio*)
- Michele Ballantyne, Associate General Counsel (*ex officio*)
- Allyson Mower, Senate Policy Liaison (*ex officio*)

**Attachments:**

- Proposed Policy 6-321: Required Reviews for Tenured Faculty



### Proposed University of Utah Regulation Revision

General Regulation Information	
<b>Regulation proposed for enactment/revision</b>	Policy 6-321: Tenured Faculty Reviews (TFR)
<b>Policy owner(s)</b>	Associate Vice President for Faculty and Associate Vice President for Health Sciences
<b>Policy officer(s)</b>	Sr. Vice President for Academic Affairs and Sr. Vice President for Health Sciences
<b>Contact person(s)</b>	Trina Rich
<b>Other related regulations with proposed revisions</b>	
<b>Planned effective date of revisions</b>	By January 1, 2025
<b>Brief (1-2 sentence) description of revisions and reason for revision</b>	<ul style="list-style-type: none"> <li>• Updating related to changes in state law (53B-2-106.1)</li> <li>• Moving to policy template</li> </ul>

Consultation and Approval	
<b>Groups and Stakeholders Consulted</b>	
Ad Hoc TFR Committee-Summer 2024	Academic Leaders Online-October 3, 2024
SACAP-October 17, 2024	
Academic Affairs Policy Group-October 9, 2024	
Open Town Halls-September 23 & October 8, 2024	
<b>Required Approval Steps and Date (if applicable)</b>	
Council of Academic Deans (if applicable)	September 19, 2024
Institutional Policy Committee	October 11, 2024
Academic Senate Executive Committee	Intent: October 21, 2024 Planned Debate: November 18, 2024
Vice President or Designee	Pending
Academic Senate (if applicable)	Intent: November 4, 2024 Planned Debate: December 2, 2024
Board of Trustees (if applicable)	Pending, planned December 17, 2024

**Policy 6-321: Required Reviews for Tenured Faculty.**

Revision 2. Effective date: Pending

- I. Purpose and Scope** ..... 2
- II. Definitions** ..... 3
- III. Policy** ..... 3
  - A. Academic Freedom ..... 3
  - B. Required Reviews ..... 3
  - C. Annual Performance Review Procedures ..... 4
  - D. Tenured Faculty Review Guidelines..... 5
  - E. Tenured Faculty Reviews (TFRs)..... 6
  - F. Reporting Requirements ..... 14
- IV. Policies/ Rules, Procedures, Guidelines, Forms and other Related Resources** ..... 14
- V. References** ..... 14
- VI. Contacts** ..... 14
- VII. History** ..... 14



**I. Purpose and Scope**

A. Purpose.

In accord with Utah Code and Utah Board of Higher Education Policy R481, which require both routine annual performance reviews and routine in-depth

reviews conducted every five years for Tenured Faculty Members, with this policy the University establishes the required reviews for Tenured Faculty Members. This policy governs the criteria, standards, evidence, and procedures for Tenured Faculty Reviews (TFRs) and requires each academic unit to document their annual performance review procedures.

- B. Scope. This policy applies to all Tenured Faculty Members of the University, and to all academic units with Tenured Faculty Members.

## II. Definitions

The following definitions apply for the limited purposes of this policy and any associated regulations.

- A. "Academic Unit" is defined for purposes of this policy as described in [Policy 6-100](#).
- B. "Academic Freedom" is defined for purposes of this policy as described in [Policy 6-010](#).
- C. "Dean" is the administrative head of a College as defined in [Policy 2-005](#).
- ~~C.~~D. "Degree-granting Institution" is defined for purposes of this policy as described in [Utah Code 53B-1-101.5 and 53B-1-102](#).
- ~~D.~~E. "Department Chair" is the administrative head of a Department as defined in [Policy 2-005](#). The Department Chair equivalent in a school or library is a Director. The Department Chair equivalent in a free-standing division is a Division Chair. In a single-department college, the dean fulfills this role as applicable.
- ~~E.~~F. "Tenured Faculty Member" is defined for purposes of this policy as described in [Policy 6-300](#).

## III. Policy

- A. Academic Freedom
  - 1. The Academic Freedom of the Tenured Faculty Member is protected and defended throughout the entire TFR process and all annual reviews.
- B. Required Reviews

1. Annual Performance Reviews: Each Tenured Faculty Member shall receive an annual performance review.
2. Tenured Faculty Reviews: Every five years, each Tenured Faculty Member shall have a comprehensive review of the Tenured Faculty Member's performance over the review period. A TFR may fulfill the annual performance review requirement for the review year.
  - a. If a Tenured Faculty Member seeks rank advancement before or at the same time as the next scheduled TFR, the University's rank advancement review constitutes the TFR.
  - b. For extensions to the review period, see Guideline G6-321A.
  - c. For reductions in the review period related to improvement or remediation plans, see Tenured Faculty Review Procedures below.

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C. Annual Performance Review Procedures

1. In consultation with the faculty, the Department Chair shall develop and document in writing the annual performance review procedures and share the final procedures with the faculty of the academic unit, dean, and cognizant senior vice president. Periodic revisions of the annual performance review procedures follow the same process.
  - a. Two or more departments within a multi-department college may jointly adopt the same annual performance review procedures by majority vote of the tenure-line faculty of each department. If all academic units in a college jointly adopt the same annual performance review procedures, the procedures are considered college-wide.
2. Annual performance reviews must include review of at least the following:
  - a. an updated curriculum vitae or other profile source;
  - b. course/teaching/mentoring feedback, if applicable;
  - c. prior year annual performance review, formal Retention, Promotion, and Tenure (RPT) or TFR, if present; and
  - d. any current improvement or remediation plan.
3. Annual performance review procedures must include at least the following:

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- a. a rigorous review by the Department Chair or designee with feedback provided to the Tenured Faculty Member;
- b. documentation of the completed review including the feedback provided; and
- c. an opportunity for the Tenured Faculty Member to respond.

Commented [SP4]: FYI--this word is in USHE policy

D. Tenured Faculty Review Guidelines

1. Each academic unit shall develop TFR Guidelines. These TFR Guidelines shall be formulated by the academic unit faculty, must be consistent with University Regulations, and must be based on the University template.
2. Department level TFR Guidelines and any revisions require approval by a majority of the tenure-line faculty of the department, Department Chair, Dean, Senate Faculty Review Standards Committee (SFRSC) acting as delegee of the Academic Senate, and the cognizant senior vice president or designee.
  - a. Two or more departments within a multi-department college may jointly adopt the same TFR Guidelines by majority vote of the tenure-line faculty of each department and the approval of each Department Chair. If all departments in a college jointly adopt the same TFR Guidelines, the guidelines are considered college-wide.
3. TFR Criteria
  - a. TFR Guidelines shall address the performance of candidates with respect to the applicable review criteria of research/creative activity, teaching, service, and any other discipline specific criteria (e.g., clinical practice advancement, librarianship.)
4. TFR Standards
  - a. The academic unit shall articulate expected standards for a Tenured Faculty Member using the same rating scale as the academic unit's RPT guidelines (excellent, [very good], effective, and not satisfactory).
  - b. The minimum standard for a Tenured Faculty Member is a rating of effective in the applicable review criteria. An academic unit may select

standards higher than the minimum standard if clearly described in the TFR Guidelines.

- c. The standards for a Tenured Faculty Member may be different from the standards for promotion to Associate Professor or Professor and/or award of tenure.
- d. TFR standards should reflect some flexibility to account for the possible reallocation of faculty responsibilities as reflected in the academic unit's workload policy or any other written workload agreement with the Tenured Faculty Member.

E. Tenured Faculty Reviews (TFRs)

1. A TFR file must include at least the following evidence as applicable:

- a. an updated curriculum vitae;
- b. a personal statement that includes a description of the Tenured Faculty Member's applicable review criteria (e.g. research/creative activity, teaching, service, clinical practice advancement, librarianship), and how an improvement plan or remediation plan has been addressed if applicable;
- c. evidence of research/creative activity;
- d. evidence of teaching activity including available course feedback reports since the last TFR or RPT review and at least one additional form of evidence;
- e. evidence of service activity including examples of professional, university, and public/community service, as applicable;
- f. evidence of any intellectual property owned wholly or partly by the faculty member and commercialization efforts attributed to the faculty member, as relevant;
- g. annual performance reviews since the last TFR or RPT review;
- h. the written academic unit workload policy and any Tenured Faculty Member's written workload agreement (redacted as needed);
- i. curriculum vitae, reports, and responses from the most recent TFR or RPT review;

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- j. any improvement plan or remediation plan from the most recent TFR review; and
- k. final documentation from sanctionable violation(s) of university regulations.
  - i. required documentation includes letters of administrative reprimand and/or final findings and decisions from university committees or officials arising from sanctionable violations of university regulations by the Tenured Faculty Member. (See Policy 6-316);
  - ii. After ten years from the date of the sanction, a Tenured Faculty Member may request removal of evidence of violations of university regulations from a TFR file, which request may be approved or denied at the joint discretion of the cognizant dean and cognizant senior vice president.
  - iii. If necessary, materials should be redacted for the confidentiality of involved individuals other than the Tenured Faculty Member.

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2. Tenured Faculty Review Procedure

a. Timeline

- i. The academic unit shall choose whether the TFR will take place in the Fall or Spring Semester.

b. University TFR Committee

The University TFR Committee for a Tenured Faculty Member's review consists of the following subcommittees. Across the three subcommittees, membership shall include at least two tenured faculty peers from outside the department who may be from a different Degree-granting Institution.

- i. Tenured Faculty Peers Subcommittee (TFPS) with the following membership:

- 1. tenured faculty peer(s) from the academic unit ~~;~~ and
- 2. Academic units may choose to fulfill the required outside membership by including tenured faculty peers from outside the department on this subcommittee. ~~at least two tenured faculty peers~~

~~from outside the department who may be from a different degree granting institution;~~

3. The membership shall elect one member of the subcommittee to act as subcommittee chair.
- ii. Academic Unit Leadership Subcommittee (AULS) with the following membership:
  1. the cognizant Department Chair or designee; and
  2. the cognizant Dean or designee.
  3. In single department colleges, the dean shall designate the second member of the subcommittee.
- iii. University Leadership Subcommittee (ULS) with the following membership:
  1. cognizant associate vice president for faculty or equivalent or designee; and
  2. the cognizant senior vice president or designee.
- c. Tenured Faculty Peer Subcommittee (TFPS)
  - i. This subcommittee is created in accordance with the academic unit's fully approved TFR Guidelines.
    1. The Department Chair must submit the membership of each TFPS to the dean who then forwards their recommendation to the cognizant senior vice president for approval noting the TFPS member elected as chair.
    2. The TFPS shall conduct a review of the complete TFR file and reports its findings and recommendations, including a specific rating on each of the applicable review criteria using the rating scale in the TFR Guidelines.
  - ii. The TFPS shall send the TFPS report to the Tenured Faculty Member who has seven business days to respond if they so choose.
  - iii. The TFPS shall forward the complete file to the AULS.
- d. Academic Unit Leadership Subcommittee (AULS)

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- i. Upon receipt of the complete TFR file, the AULS shall conduct a review and reports their findings and recommendations including a specific rating on each of the applicable review criteria using the rating scale in the TFR Guidelines.
- ii. The AULS shall send their recommendations to the Tenured Faculty Member, copying the TFPS chair. The Tenured Faculty Member has seven business days to respond if they so choose. In addition, following the receipt of the AULS report, the Tenured Faculty Member may request review by the University Promotion and Tenure Advisory Committee (UPTAC) by submitting a request with the cognizant Office for Faculty. The UPTAC procedures are described below.
- iii. The AULS shall forward the complete TFR file to the ULS.
  - 1. If an improvement or remediation plan is warranted and the Tenured Faculty Member does not request UPTAC review, the AULS shall send the complete file including the completed improvement or remediation plan. The improvement plan and remediation plan procedures are described below.
  - 2. If the Tenured Faculty Member requests an UPTAC review, the UPTAC review and report shall be completed and sent to the ULS for final determination of whether an improvement plan or remediation plan is warranted. The UPTAC review procedures are described below.
- e. University Leadership Subcommittee (ULS)
  - i. Upon receipt of the complete TFR file including any applicable UPTAC findings and recommendations, improvement plans, and/or remediation plans, the ULS shall provide feedback on any included improvement or remediation plan as needed, conduct a review, and then report its findings and recommendations.
  - ii. The ULS may consult with the AULS and/or the TFPS chair as part of their deliberations.
- f. Finalizing a TFR

- i. If all subcommittees have rated the Tenured Faculty Member as meeting the minimum standards for all applicable review criteria, the ULS shall send its findings and recommendations to the Tenured Faculty Member, copying the AULS and TFPS Chair, after which the TFR is complete.
- ii. If the Tenured Faculty Member has been rated by at least one subcommittee as not meeting the minimum standards in one or more applicable review criteria or has been found to not have made progress regarding a previous improvement plan or remediation plan and the Tenured Faculty Member has not requested an UPTAC review and following development of the improvement plan or remediation plan and the subsequent ULS review, the ULS shall send its findings and recommendations to the Tenured Faculty Member, copying the AULS and TFPS Chair, after which the TFR is complete.
- iii. If the Tenured Faculty Member has been rated by at least one subcommittee as not meeting the minimum standards in one or more applicable review criteria or has been found to not have made progress regarding a previous improvement plan or remediation plan and the Tenured Faculty Member requests UPTAC review, the ULS reviews the file after receiving UPTAC's report.
  1. Following the UPTAC review, if the ULS finds that an improvement plan or remediation plan is warranted, the ULS shall send their findings and recommendations to the Tenured Faculty Member and the AULS, copying the TFPS Chair. Within thirty (30) calendar days, the AULS shall submit the improvement plan or remediation plan to the ULS for review and feedback, after which the TFR is complete.
  2. Following the UPTAC review, if the ULS finds that an improvement plan or remediation plan is not warranted, the ULS shall send its findings and recommendations to the Tenured Faculty Member,

copying the AULS and TFPS chair, after which the TFR is complete.

- g. University Promotion and Tenure Advisory Committee (UPTAC) Review
  - i. UPTAC is constituted in Policy 6-304 and shall review TFR files and make a recommendation to the ULS when a review is requested.
  - ii. Within seven business days of the receipt of the AULS findings and recommendations, the Tenured Faculty Member may request an UPTAC review if the Tenured Faculty Member disagrees with the recommendations of the TFPS or AULS. The Tenured Faculty Member submits the request to the cognizant Office for Faculty.
  - iii. When requested by the Tenured Faculty Member, UPTAC shall review the complete TFR file and (1) identify the source(s) of the difference(s), (2) determine how each subcommittee addressed the difference(s) with specific note of the evidence supporting the assessment, (3) assess the degree to which the file is sufficiently clear to support any conclusive recommendation, and (4) make a recommendation regarding whether an improvement plan or remediation plan is needed based on the applicable TFR Guidelines and the evidence in the file.  
~~UPTAC then forwards the complete TFR file including a report of their findings and recommendations to the ULS.~~
  - iv. UPTAC shall send its report to the Tenured Faculty Member who may respond within seven business days if they so choose. UPTAC shall then forward the complete file to the ULS.
- h. Improvement Plan Development
  - i. The purpose of an improvement plan is to mentor the Tenured Faculty Member.
  - ii. An improvement plan shall be developed if the Tenured Faculty Member is **underperforming** as indicated by a rating of not meeting the minimum standards in one applicable review criteria.
  - iii. The improvement plan shall identify concrete goals regarding how the Tenured Faculty Member can address underperformance, describe the

**Commented [SP11]:** This word is used in state law in relation to improvement plans.

evidence required to show the Tenured Faculty Member has addressed the underperformance, determine a review timeline for a follow-up TFR, and provide resources as applicable. A follow-up review timeline of a two- to three-year period is recommended, as appropriate to the concerns.

- iv. The improvement plan shall consider the specific circumstances of the Tenured Faculty Member, including any written workload agreement (redacted as needed).
- v. The TFPS Chair, the Department Chair, and the Tenured Faculty Member shall collaboratively develop the improvement plan. The development of the improvement plan should be completed within 30 calendar days. The Dean shall work with the involved parties to resolve any conflicts that arise during the development of the improvement plan.
- vi. The AULS shall submit the improvement plan as part of the complete TFR file to the ULS for review (as described above).
- vii. Approximately halfway between the TFR during which an improvement plan is developed and the next scheduled TFR, the Department Chair or designee and the Tenured Faculty Member shall meet to discuss progress on the improvement plan and identify any additional resources needed, if relevant.
- viii. As part of the next TFR, each subcommittee shall include an evaluation of the Tenured Faculty Member's progress on the improvement plan.
- ix. As determined in the next TFR, failure to address deficiencies in an improvement plan shall result in a remediation plan.
- i. **Remediation Plan**
  - i. The purpose of a remediation plan is to help the Tenured Faculty Member address **deficiencies**.
  - ii. A remediation plan shall be developed if a Tenured Faculty Member has been rated as not meeting the minimum standards in two or more

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**Commented [SP13]:** This word is used in state law in relation to remediation plans.

applicable review criteria; or if a Tenured Faculty Member has failed to address the underperformance identified in an improvement plan from a prior TFR review.

- iii. The remediation plan shall identify concrete goals regarding how the Tenured Faculty Member can address deficiencies, describe the evidence required to show the Tenured Faculty Member has addressed the deficiencies, determine a timeline for a follow-up TFR, and provide resources as applicable. A follow-up review timeline of a two to three-year period is recommended, as appropriate to the concerns.
- iv. The remediation plan shall consider the specific circumstances of the Tenured Faculty Member, including any written workload agreement (redacted as needed).
- v. The TFPS Chair, The Department Chair, and the Tenured Faculty Member shall collaboratively develop the remediation plan. The development of the remediation plan should be completed within 30 calendar days. The Dean shall work with the involved parties to resolve any conflicts that arise during the development of the remediation plan.
- vi. The AULS shall submit the remediation plan as part of the complete TFR file to the ULS for review (as described above).
- vii. Approximately halfway between the TFR during which a remediation plan is developed and the next scheduled TFR the Department Chair or designee and the Tenured Faculty Member shall meet to discuss progress on the remediation plan and identify any additional resources needed, if relevant.
- viii. As part of the next TFR, each subcommittee shall include an evaluation of the Tenured Faculty Member's progress on the remediation plan.
- ix. Failure to address deficiencies identified in a remediation plan may result in disciplinary action including the possibility of termination under the Faculty Code (See Policy 6-316).

Commented [SP14]: State law requirement

F. Reporting Requirements

1. By October 1 of each year, the president shall provide an annual report regarding TFRs from the prior academic year to the Utah Board of Higher Education with the information and in the format requested by the Utah Board of Higher Education.

Commented [SP15]: Required by state law

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*Sections IV- VII are for user information and are not subject to the approval of the Academic Senate or the Board of Trustees. The Institutional Policy Committee, the Policy Owner, or the Policy Officer may update these sections at any time.*

**IV. Policies/ Rules, Procedures, Guidelines, Forms and other Related Resources**

- A. Policies/ Rules. [ reserved ]
- B. Procedures, Guidelines, and Forms.
  1. Guideline 6-321A: Extensions to the TFR Period
- C. Other Related Resources. [ reserved ]

**V. References**

- A. [ reserved ]

**VI. Contacts**

The designated contact officials for this Regulation are

- A. Policy Owner(s) (primary contact person for questions and advice): Vice Provost for Faculty and Academic Affairs and Associate Vice President for Faculty, Health Sciences.
- B. Policy Officer(s): Sr. Vice President for Academic Affairs and Sr. Vice President for Health Sciences.

See Rule 1-001 for information about the roles and authority of policy owners and policy officers.

**VII. History**

Revision History.

A. Current version. Revision 2.

1. Approved by -- Academic Senate **[date]**, and Board of Trustees **[date]**, with effective date of **[date]**.
2. Legislative History
3. Editorial Revisions

B. Previous versions.

1. Revision 1. Effective Date. May 17, 2024 to Pending
  - a. Legislative History for Revision 1.
2. Revision 0. Effective Date. July 1, 2017 to May 16, 2024
  - a. Legislative History for Revision 0.



ACADEMIC AFFAIRS | THE UNIVERSITY OF UTAH

Office for Faculty



# TFR Policy Revision (6-321)

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Academic Senate

November 4, 2024

Presented by Vice Provost Sarah Projansky  
(Main Campus)



# WHY MAKE CHANGES NOW?

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**State law (§53B-2-106.1)  
(i.e., HB438)**



**Utah Board of Higher  
Education regulations  
(R481)**



**Widely reported  
dissatisfaction with TFR  
Process**

- ▷ Faculty
- ▷ Department Chairs
- ▷ Deans
- ▷ UPTAC members

# Shared Governance Timeline

“Shared governance is the process by which the primary stakeholders at the University – faculty, professional staff, students, administration, and the Board of Trustees – all participate in the development and approval of policies and in making decisions that guide the University.” --*University of Utah, Academic Senate* <https://academic-senate.utah.edu/academic-governance/>

1. Multi-step revision plan shared with CAD & **Senate** (April-May 2024)
2. Interim policies implemented (May/July)
3. TFR Ad Hoc Committee work (Summer)
  - **Recommendations come from this committee**, in collaboration with Policy Owners (AVPs for Faculty)
4. Council of Academic Deans Discussion & Feedback (September 2024)
  - **Dean recommendation incorporated**  
re: committee membership approval
5. Faculty Townhalls (9.23.24 & 10.8.24)  
**Co-Hosted with Academic Senate**
  - **Faculty recommendation incorporated**  
re: UPTAC and outside members of the TFR Committee
6. Institutional Policy Committee (10.11.24)
7. Senate Committee: SACAP (10.17.24)
8. **Academic Senate**
  - a. Executive Committee 10.21.24, placed on Intent Calendar
  - b. Senate Intent Calendar 11.4.24**
  - c. Executive Committee 11.18.24, request for Debate Calendar
  - d. Senate Debate Calendar 12.2.24 (planned)**
    - **Executive Committee recommendation incorporated**  
re: course/mentoring feedback
9. Recommendations from Ad Hoc Committee re: TFR Template and related policy revisions (October/November)
10. **Informational emails providing guidance and updates (Fall 2024)**
11. Board of Trustees (12.17.24)

# Ad Hoc TFR Committee Membership:

## *Thank you for your work!*

- Jen Brown, Professor & Department Chair in Business
- Tim Brusseau, Professor & Department Chair in Health/  
Senate Faculty Standards Review Committee (SFRSC) Chair
- Kirsten Butcher, Professor & Associate Dean in Education
- Mollie Cummins, Professor in Nursing
- Yekaterina Epshteyn, Professor in Science
- Leslie Francis, Distinguished Professor in Law & Humanities
- Mark Glick, Professor in Social & Behavioral Science
- Isabel Moreira, Distinguished Professor/Assoc Dean, Humanities
- Christy Porucznik, Professor & Vice Dean in Medicine
- José Rodríguez, Professor in Medicine/Assoc VP, U of U Health
- Pedro Romero, Associate Professor in Engineering/  
Senate Advisory Committee on Academic Policy (SACAP) Chair

### EX OFFICIO MEMBERS

- Michele Ballantyne, Associate General Counsel
- Angie Fagerlin, Professor & Chair in Medicine/  
Associate Vice President for Faculty, U of U Health
- Kristen Keefe, Professor in Pharmacy/  
Assistant Vice President, U of U Health (co-chair)
- Allyson Mower, Librarian & Senate Policy Liaison
- Sarah Projansky, Professor in Fine Arts & in Transform/  
Vice Provost for Faculty & Academic Affairs  
(main campus) (co-chair)
- Trina Rich, Director, University & Academic Affairs Policy

# Key Things That Already Exist

- 1. Goal: Ensure faculty's work is meaningful, impactful, and as straightforward as possible**
  - *Forms/templates* have been requested and will be provided, but will remain optional
  - *Faculty members' role is to evaluate* research, teaching/education, service, clinical work (as relevant)–which is what they do best and are best qualified to do
- 2. TFRs that show significant and persistent failure to meet research, teaching, service responsibilities could initiate procedures for dismissal for cause through Faculty Code**
  - Now articulated in the policy through reference to *Faculty Code* (6-316)
- 3. TFR ≠ “Another Tenure Review”**
  - Tenure = Excellent in one or more areas as minimum standard, potential for non-renewal of contract
  - TFR = *Effective as minimum* standard, *opportunities for improvement*, options if improvement not achieved (e.g., renegotiation of workload, retirement), dismissal would require administration to file violation of Faculty Code complaint
- 4. Annual Reviews required for all faculty members**
  - Documentation now included in TFR file

# Changes in Response to Campus Concerns

## 1. Reorganize and Clarify Entire Policy

➤ **Thank You Trina Rich!!!!!!**

## 2. Clarify Standards

- a. Align with RPT standards, for consistency and clarity:
  - i. Excellent
  - ii. [Very Good]
  - iii. Effective
  - iv. Not Satisfactory
- b. “Effective” as minimum standard in all areas
  - Units may choose to set a higher standard
- c. Attention to workload policies and any reallocation of responsibilities

## 3. Clarify UPTAC Role and Make More Meaningful

- a. UPTAC participation at request of reviewed faculty member . . . only
- b. UPTAC analyzes evidence related to area(s) of controversy
- c. UPTAC no longer returns report to department “for correction”; instead, advises the cognizant SVP (comparable to RPT)

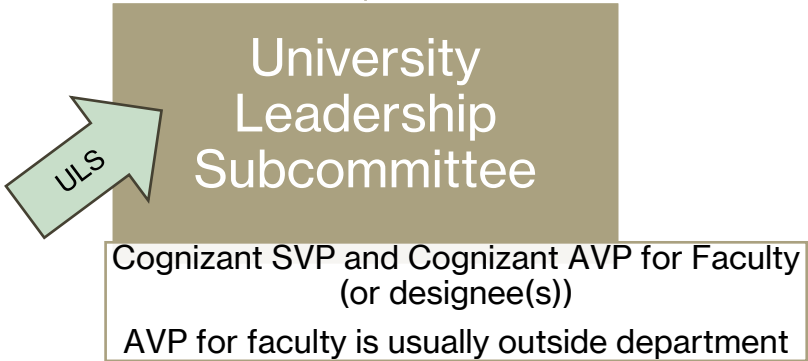
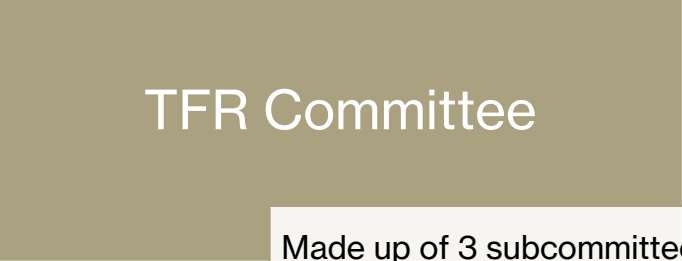
# Changes in Response to State Law (slide 1 of 2)

## 4. Cognizant SVP Must be Member of TFR Committee

- a. **Question:** How can we meet this requirement but **still** maintain *integrity of “peer review”*?
- b. **Answer:** SVP is on the committee, but *participates separately* from tenured peers
- c. **Solution:** One TFR Committee, with *three subcommittees* that work sequentially, while keeping each other informed (see graphic on next slide)
  - i. Tenured Faculty Peer Subcommittee (TFPS)
  - ii. Academic Unit Leadership Subcommittee (AULS)
  - iii. University Leadership Subcommittee (ULS)

## 5. TFR Committee Must Include Two Tenured Peers from Outside Department

- a. **Question:** How can we do this *without increasing faculty workload* astronomically?
- b. **Answers:** lean on subcommittee structure (which in most cases already includes two outside tenured faculty), Look to Health Sciences for models, allow *flexibility*
- c. **Solutions:**
  - i. How outside members identified allowed to vary unit to unit, as approved through TFR Guidelines (shared governance)
  - ii. Options provided, so it’s easier to choose
  - iii. *Recognize outside members’ labor* as part of college/university service load



# Changes in Response to State Law (slide 2 of 2)

## 6. Improvement/Remediation Plans Required for Faculty Not Fulfilling Responsibilities, with Possibility of Dismissal for Cause for “Fail[ure] to Address Deficiencies”

- a. **Question:** How can we ensure plans are meaningful, nonpunitive, and allow opportunity for improvement?
- b. **Answer:** Encourage S.M.A.R.T. goals, provide resources, shorten timeline for next review
- c. **Solutions:**
  - i. Improvement plans and remediation plans sequential, providing opportunity for improvement
    - ❑ *Improvement Plan:* Not Satisfactory in one area
    - ❑ *Remediation Plan:* Not Satisfactory in two areas or previous Improvement Plan unaddressed
  - ii. Make no changes to dismissal for cause procedures; simply mention and link to Faculty Code (6-316)

## 7. Annual Reviews Must Be in TFR File

- a. **Question:** What counts as an annual review?
- b. **Answer:** This can vary from unit to unit, but must now be articulated in writing
- c. **Solutions:**
  - i. Elements (the new “FAR”) has the capacity to record annual reviews efficiently – this will be available, but is not required
    - *Elements is open now! Claim your work! Update your profile!*
    - *Trainings: Nov. 4 1:00-2:00 & Nov. 12, 11:00-12:00*
  - ii. Each unit to have a written document that clearly describes the annual review process
  - iii. Annual reviews must be written, with opportunity for faculty member to respond

## 8. Protect and Defend Academic Freedom

- ✓ *“The Academic Freedom of the Tenured Faculty Member is protected and defended throughout the entire TFR process and annual review processes” (also see 1-007, 6-010)*



# Change in Response to State Law, as well as Campus Concerns

## 9. TFR File Must Include Non-Compliance with Policy (state law) and Clarify Current Language re: “Evidence of Faculty Responsibility” (campus concerns)

- a. **Question:** Are any changes necessary to include “non-compliance with policy,” as required by state law?
- b. **Answer:** No substantive changes needed, but language needs *clarification*
- c. **Solutions:**
  - i. (current language) “evidence of faculty responsibility” →  
(new language) “*sanctionable violations of university regulations*” (see Faculty Code 6-316)
  - ii. (currently) remains in TFR file forever →  
(new) faculty member may request removal from TFR file 10 years after sanction occurred

# Summary

1. Entire Policy **Reorganized** and **Clarified**
2. Clarify **Standards**
  - Excellent, [very good], effective, not satisfactory
  - Minimum standard of “effective”
  - Flexibility for workload reallocations
3. Clarify **UPTAC** Role and Make More Meaningful
  - Review requested by faculty member only
  - UPTAC advises Cognizant SVP
4. Cognizant **SVP Member of TFR Committee**, through subcommittee structure
5. TFR Committee includes **two tenured peers from outside department**
6. Not fulfilling responsibilities leads to **Improvement/Remediation Plans**
  - Includes timeline for improvement
  - Includes resources and mentorship for improvement
  - Possibility of dismissal for cause for “fail[ure] to address deficiencies” (*not new*)
7. TFR file includes **Annual Reviews**
8. Protection of **Academic Freedom** articulated
9. “**Sanctionable violations of university policy**” included in TFR file (*inclusion not new*)
  - Language clarified
  - May request removal after 10 years

# Additional Information

Outside Members  
Elements

# Some Options for Two Outside Members

***Additional  
Ideas  
Welcome!!!***

- For most units, as subcommittee members (AULS and ULS, respectively), the Dean and AVP for Faculty fulfill the state law requirement for two outside members.
  - Academic units will need to identify how they will include outside members if the Dean and/or AVP for Faculty is/are in their department or single-department college.
    - One option: by approving the Academic Unit TFR Guidelines, Dean and AVP for Faculty agree to appoint a designee to serve on the AULS and ULS, respectively.
    - Alternatively: academic units choose from the options listed in the next slide.
- If an academic unit would also like to include other tenured peers from outside the unit, they may do so by choosing from the options on the next slide.

# Some Options for Two Outside Members

## *Additional Ideas Welcome!!!*

1. College-level committee with representatives from each department serves as the TFPS
2. Each TFPS draws outside members from a college-level pool of faculty members [elected] OR [appointed] from each department. The [reviewed faculty member] OR [department chair] chooses the members of the pool to serve on the relevant TFPS
3. [Reviewed faculty member recommends] OR [Department Chair or designee recruits] outside members, either by name or from a specific department
  - E.g., an interdisciplinary researcher in the Sociology department recommends outside members for their TFPS be recruited from Population Health Sciences, OR recommends particular faculty members from that or another relevant department
4. Multiple academic units enter into a “co-op” to exchange faculty members to serve on the TFPS or AULS
  - Especially useful option for single-department colleges
  - E.g., Health Sciences Library and Marriott Library exchange faculty for the TFPS and/or to serve in the “department chair” role on the AULS
5. An academic unit agrees to exchange committee members with another USHE institution
  - e.g., UofU Chemistry department sends two faculty members to serve on USU’s Chemistry department’s TFR Committee, and vice versa
6. For faculty with shared appointments, outside members are drawn from the shared unit
7. For faculty with joint appointments, 1-2 members of each unit serve on the other unit’s TFPS rather than their own (maintaining single vote rule)
8. An approved alternative option as proposed by the academic unit



# *Elements*

## Faculty Trainings

These training sessions will walk faculty through the various features of Elements, show you how to customize your account, and illustrate the annual review process workflow.

November 4 | 1pm - 2pm

November 12 | 11 am - 12 pm

