

What follows is an agreement between the University of Massachusetts and the Faculty Staff Union; and is made pursuant to Article XXIII, section 33.10.

PERIODIC MULTI-YEAR REVIEW

Preamble

The practice of regular annual review of faculty performance based upon an annual faculty report (AFR) and involving peer review by departmental personnel committees and administrative review by chairs and deans is well established on the Boston campus. The AFR serves as the primary basis for the award of merit monies when they are available and is intended to be a mandatory yearly review of faculty performance even in the absence of merit monies. Because faculty members continue to review their professional activity every year of their careers at the University, including after tenure and promotion, the AFR must be a principal ingredient of any process of post-tenure review.

In addition, significant multi-year reviews of faculty performance are conducted at the time of major personnel actions: appointment through the tenure decision year, tenure, and promotion to full professor. These reviews evaluate the performance of the faculty member of the three mandatory categories of teaching, research, creative or professional activity, and service in regard to established standards for the personnel actions, including the expectation of continued professional development and performance.

A multi-year review of all faculty, which is distinct from the annual and major personnel action reviews, serves a number of internal purposes. First, such a review expands the narrow time window of the annual reviews into an overview of a faculty member's interests, capabilities, and performance that will both inform evaluations and rewards and aid academic planning. Second, such periodic overviews make possible timely consultation, intervention, and assistance that will stimulate and encourage professional development. The multi-year review will also effectively account for faculty members' professional activity to external constituencies. In adopting a PMYR policy, the university and the tenured faculty, represented by the Faculty Staff Union MTA/NEA, address the external concern for accountability, while upholding the integrity of tenure and academic freedom. PMYR addresses accountability by fostering continued professional development.

Purpose

The primary purpose of Periodic Multi-Year Review (PMYR) is to assist tenured faculty in their continuing professional development. A faculty member who has been awarded tenure has demonstrated excellent performance and represents a large investment on the part of the University. Tenure is awarded on the basis of an expectation that the faculty member will continue to develop professionally and demonstrate a continued high level of performance. PMYR evaluates performance over a number of years and assures that

the talents of faculty members and their contributions to the University are maximized throughout their careers.

Principles

1. Our present review procedures encourage short-term assessment of individual accomplishment. PMYR should foster a longer term view of an individual's performance and contributions to the University.
2. PMYR must assure the protection of the faculty member's academic freedom, and right to full and free inquiry, as prescribed in the contract.
3. PMYR is neither retenuing nor a major personnel action as defined in the collective bargaining agreement and would not alter or affect in any way Article X of the contract or any aspects of the contract dealing with termination or discipline.
4. PMYR should be appropriately linked to the annual faculty reviews (AFRs) and should not involve the creation of additional unnecessary bureaucracy.
5. PMYR should include both self-assessment and internal peer review, as well as assessment by the department chair and dean, and should be fully consistent with provisions of Articles XI, XII, and XIII of the contract regarding faculty roles, responsibilities, standards, and procedures.
6. Standards of evaluation in each department will be fair and consistent with departmental, college, and campus practice.
7. PMYR is intended to recognize that individual interests and abilities of faculty members (and interests and needs of departments) may change over time, and that, if a faculty member so chooses, she/he might be able to meet her/his professional responsibilities to the university in varied and changing ways.

Timing of Process

1. PMYR is to be conducted every seven years for all tenured faculty members. Persons who have indicated, in writing, their intention to retire within a three-year period will not have a PMYR.
2. The first formal consideration of an associate professor for promotion to full professor may be substituted for the initial PMYR unless such promotion consideration is delayed beyond seven years past the promotion to associate professor.
3. The time of the PMYR may be altered, upon written agreement between the individual and the department chair, in the following circumstances.

- a. When the faculty member is named to a full-time administrative appointment, the faculty member will have the option of delaying the review for up to three years following the return to normal faculty assignments.
- b. When the faculty member is granted a leave without pay for an academic year. A leave of less than one academic year in duration shall not affect the time of the PMYR.
- c. When the faculty member expresses in writing his or her intention to retire within three years of the time of the scheduled review, the review shall be canceled. If the intention to retire is rescinded, the faculty member shall have PMYR in the next annual cycle or during the annual cycle which the faculty member had originally been scheduled to undergo PMYR, whichever is later.
- d. Upon request initiated by the faculty member and approved by the department chair and the dean.

Review Materials

The foundation of the review will include a brief statement, not to exceed 2,000 words, submitted by the faculty member that summarizes and assesses her/his principal activities during the period since the last review and states her/his intentions for achieving her/his goals in the areas of teaching, research and scholarship, creative and/or professional activity, and service in the coming years. The statement should mention, as appropriate, such matters as her/his contributions to: the mission of the department, college or university; the advancement of the profession; and the development of the community.

If the individual's statement calls for a major new initiative or change in the direction of her/his work, the statement will include any requests for additional developmental support needed for that initiative or change in direction.

The faculty member will also submit a current curriculum vitae, and the department chair will provide copies of the faculty member's annual faculty evaluations (AFRs) for the prior six years and the current year, including any supplemental materials that have accompanied those AFRs. The department chair will have available all evaluations of the faculty member's teaching performance carried out during the previous six years.

Review Process

The Departmental Review Committee or other elected committee (hereafter referred to as DPC) and the Department Chair will review the individual's AFRs, curriculum vitae, teaching evaluations, and the submitted statement. After consideration of the materials, the DPC and the Department Chair will each recommend that the review be classified as : Category I or Category II.

A Category I recommendation will be made when the faculty member's performance, as documented in the materials submitted, indicates that she/he is making professional progress and effectively contributing to the university.

A Category II recommendation will be made when the faculty member's performance, as documented in the materials submitted, indicates that she/he needs to make significant changes in his/her work in order to promote professional progress and contribute effectively to the university. When the recommendation is Category II, the DPC (or its representatives) and the Chair will meet with the individual to discuss ways in which she/he can alter his work and develop effectively and to prepare a Development Plan (see "Development Plan" below). In this discussion, the individual will have the opportunity to initiate the formulation of her/his Development Plan.

Either a Category I or a Category II recommendation may include a recommendation that resources for development support be provided by the university. This recommendation for resources to be provided would be made when:

- (i) the individual's performance and future plans indicate that she/he is likely to be successful in achieving those plans if the support is provided;
- (ii) the individual's plans involve a substantial change in the nature of her/his work; and
- (iii) the directions of the change are consistent with the needs of the university-campus-college-department as expressed in institutional plans.

If development support is recommended, the recommendation will be submitted to the dean who will consider the award of funds from the College Development Fund established by a faculty-count-pro-rate distribution of such funds from the provost. The dean will be advised in this activity by a faculty committee. The College Development Fund will be new funds, and addition to and not a replacement or renaming of development funds that have been distributed in the past.

After the DPC and the Department Chair have made their recommendations, the case will be passed to the dean.

If the DPC and Department Chair have recommended "Category I" and the dean concurs, the review is concluded (except for the allocation of development support as specified above).

If the dean does not concur, the case will be returned to the department for consideration. In returning a case to the department, the dean will explain her/his reasons for nonconcurrence in written detail and will also specify in detail steps that she/he believes are necessary to formulate a successful development plan (see "Development Plan" below).

If the DPC or the Department Chair recommends Category II or if the dean indicates nonconcurrency with their Category I recommendation, the DPC and the Department Chair will meet with the faculty member to formulate a Development Plan.

Development Plan

The purpose of a Development Plan is to provide guidance to the faculty member in promoting her/his professional progress and making it possible for her/him to contribute more effectively to the university. Aspects to the Development Plan may include, but are not limited to: consultation with colleagues to assist in problem areas; the offer of the change of assignments within the department to facilitate improvement in teaching, research, or service; a mutually agreed upon re-allocation of efforts to enhance the faculty member's contribution to accomplishing department/college/institutional plans; the design of a sabbatical leave that would be crafted to address the identified needs; and referral to the Center for the Improvement of Teaching, if appropriate.

In cases where the Chair and the DPC have recommended Category I but a Development Plan is being developed because of the dean's nonconcurrency, the dean will provide detailed and specific suggestions for the formulation of the Development Plan. The Development Plan will address specific problem areas and will provide a timetable and criteria for a follow-up review to take place in three years. If the Development Plan includes a reallocation of the faculty member's efforts such reallocation will itself not diminish the faculty member's entitlement to merit funds for the period during which all parties have agreed to the reallocation. The Development Plan will also indicate what resources or other support will be provided to the faculty member in her/his efforts to fulfill the Plan.

During the three year period before the follow-up review, the DPC and the chair will consult as needed with the faculty member and, at least annually, will comment in writing on the faculty member's progress in fulfilling the Development Plan. The dean will review these comments and may comment as well. In addition, the faculty member may make her/his own comments, including responses to the comments of DPC, chair and dean. All of these comments (those of the DPC, the chair, the dean, and the faculty member) will be considered part of the PMYR.

At the end of this three year period, the DPC, the chair, and the dean will each evaluate in writing the extent to which the Development Plan has been achieved. If the parties concur that the goals have been achieved, a subsequent PMYR will take place in four years, restoring the seven-year cycle. If they do not concur, other possibilities for monitored development may be proposed and a new PMYR cycle arranged.

If at any state, the faculty member refuses to accept the proposed Development Plan or refuses to cooperate in the implementation of the Plan, this PMYR process will end for that individual.

After the conclusion of a PMYR, the administration, using its existing authority, may decide whether or not any further action of the sort dealt with in the following section is appropriate.

Connection to Discipline and Rewards

PMYR is not a disciplinary procedure, and it is not a part of existing disciplinary procedures. The parties recognize, however, that PMYR by providing a long term overview of the work of individual faculty members could bring new attention to any serious problems that might exist. PMYR does not alter the right of the administration to act by using its existing disciplinary authority if it believes that in the case of a particular faculty member problems identified by the PMYR are sufficiently serious to warrant consideration of discipline. Such actions may be initiated at any time, including during or after the PMYR.

In any disciplinary action, the administration could not use as evidence materials generated by the PMYR process, recognizing that to do so would undermine the viability of PMYR as a developmental tool. ("Materials generated by the PMYR process" includes but is not limited to statements provided by the faculty member, recommendations prepared by DPCs and Department chairpersons, any Developmental Plans, and any comments regarding the operation of a Development Plan, but does not include AFRs, comments on AFRs, and other pre-existing materials normally available for and used in the preparation of AFRs.) Also, no PMYR action could be considered as a step in any disciplinary action, and a faculty member's rejection of or refusal to cooperate with a Development Plan could not be a basis for discipline.

If the administration, under its existing authority, were to initiate disciplinary action against a unit member, it is not prohibited from including the terms of the Development Plan, in whole or in part, in that action; but in doing so, the administration could not make reference to the Development Plan. This acknowledgement that the administration is not prohibited from including the terms of the Development Plan, however, is not intended to endorse the use of such authority and does not limit any existing right of a unit member to challenge any disciplinary action in ways consistent with the contract. Similarly, while PMYR is not a procedure to provide rewards to faculty members, its operation may identify cases where a faculty member's long term performance is deserving of recognition that has not been provided by the otherwise existing processes of merit pay and special awards. In such cases, the administration may use the information generated by the PMYR as the basis for granting special recognition, either by allocations from pool "B" of merit pools or by other existing special award procedures.

Assessment

Each dean will prepare an annual report to the Provost on the PMYR process in his or her college. This report, which will be reviewed by the Provost to ensure that the PMYR process is being appropriately and consistently carried out across the campus, will

include a summary of the number of PMYRs conducted and their results and relevant details about all instances in which a Development Plan was formulated, including the results of any monitoring process.

Periodically after implementation of PMYR, the parties will jointly evaluate and report to the campus on how the policy is working.

Attachment A: Article XXXIV

PERIODIC MULTI-YEAR REVIEW

34.1 Periodic Multi-Year Review of tenured faculty members shall be conducted, beginning in the academic year 1999-2000, in accordance with the "Policy on Periodic Multi-Year Review," attached hereto as Appendix A.

34.2 During the academic year 2000-2001, the Amherst campus will allocate \$150,000 to the college development funds described in the "Review Process" section of the Policy on Periodic Multi-Year Review. Additionally, the Amherst campus will allocate \$100,000, to be used for a development program in the Center for Teaching and for individual faculty research grants, for individuals who have undergone Periodic Multi-Year Review. During the academic year 2000-2001, the Boston campus will allocate \$56,000 to the college development funds described in the "Review Process" section of the Policy on Periodic Multi-Year Review. Additionally, the Boston campus will allocate \$37,500, to be used for a development program in the Center for the Improvement of Teaching for individuals who have undergone Periodic Multi-Year Review and for other efforts to support the development of faculty members who have undergone Periodic Multi-Year Review. (These funds will be new funds, an addition to and not a replacement or renaming of development funds that have been distributed in the past.)

The college development funds for each campus shall be allocated annually, beginning in FY2001, to each school and college of that campus on a pro-rata basis of the number of individuals scheduled for PMYR in each school or college in the previous year as a percentage of the total number of individuals scheduled for PMYR in the previous year on the campus. The Union and the University shall negotiate over the use of any college development funds which are not allocated through the PMYR process.

Attachment B:

Scheduling of Periodic Multi-Year Reviews

Amherst campus:

PMYR normally will take place two years prior to the next scheduled sabbatical, beginning in the 1999-2000 academic year for those who are eligible for sabbatical in the 2001-2002 academic year. Faculty members who take half-sabbaticals on a 3-3 rather than 6 year cycle will undergo PMYR two years before the second half-sabbatical in each

3-3 interval. PMYR will not normally take place less than six years after a successful promotion or tenure review. Thus, those participating in PMYR each year shall be those tenured full and associate professors who have not undergone a major personnel action or PMYR in the previous six years and have not been on a full sabbatical leave in the previous four years. Accordingly, those participating in PMYR in 1999-2000 shall be those tenured full and associate professors who have not undergone a major personnel action after 1992-93 and have not been on sabbatical leave (except for the second half of a "mini" sabbatical) after 1994-95. In a typical year, there will be approximately 95 PMYRs. If the eligibility criteria above result in any year in more than 115 scheduled PMYRs or in scheduled PMYRs for more than 20% of the tenured faculty in any individual school or college, the Union and the University shall meet to discuss approaches to rescheduling some of the reviews.

Boston campus:

A faculty member will normally have a PMYR in the academic year two years preceding his or her next scheduled sabbatical. A faculty member who takes half-sabbaticals will normally have a PMYR in the academic year two years preceding his or her second half-sabbatical in a seven-year sabbatical cycle. A faculty member will not normally have his or her PMYR within six years of a successful promotion or tenure review. Departments normally should not have a clustering of PMYRs in any individual year. On the basis of these guidelines, each department chair or center head, in consultation with the affected members of the department or center, will develop a schedule for PMYR for all tenured members of the department or center. This schedule will be submitted to the dean for approval.