BRIEF SUMMARY: This bill modifies the existing provisions of Chapter 2, Section C regarding the Annual Performance merit pay program by: a) incorporating administrative criteria for certain faculty, b) authorizing a dean to inquire regarding the evaluation of a specific faculty member, c) clarifying appeals methods, and d) slightly modifying the calendar for the evaluation process.

REVISING “ANNUAL PERFORMANCE PROGRAM SECTION OF FACULTY MERIT PAY POLICY”

BE IT RESOLVED THAT: Chapter 2, Section C of the Faculty Handbook be amended by incorporating the changes indicated in red into the existing provisions of that section.

C. Faculty Merit Pay Policy

Underlying Principles

1. The established mechanisms of awarding tenure, promotion, and post-professorial merit (see Faculty Tenure and Promotion Policy) serve, among other purposes, to provide periodic salary increases to those tenured and tenure-track faculty whose performance, measured against departmental or unit criteria, is determined to meet certain levels for certain periods of time, and who are otherwise eligible. Those mechanisms provide a type of "merit pay" system for certain faculty.

2. This Faculty Merit Pay Policy is intended to provide a type of "merit pay" system for all full-time faculty, regardless of whether they are eligible for the additional rewards of tenure, promotion, or post-professorial merit.

3. The objectives of this policy include the following:
   a) to provide a mechanism for determining that a faculty member's annual performance, including chairpersons, is satisfactory, in that it has met certain defined minimum expectations for performance,
   b) to provide a mechanism of awarding annual salary increases to satisfactorily-performing faculty members, and
   c) to provide a mechanism of awarding periodic larger salary increases to non-tenure track faculty whose performance warrants such recognition.
4. The provisions of this policy shall be applicable to all full-time faculty members, as well as dual appointment faculty (to be considered in the base department only) and those faculty members with 50 percent or less released time for administrative responsibilities.

5. This policy provides for the establishment of two sets of departmental performance criteria, one for each of the two programs set out below. Department criteria will be discipline specific and performance based. They will include specific indicators of faculty performance in the areas of teaching effectiveness, professional growth, and service to the university, as appropriate to the individual faculty member's contract status. Where appropriate, criteria should be designed not only to reward individual achievement but also to reward contributions of individuals as members of the department team. Nothing in the criteria may contradict other provisions of the Faculty Handbook. Until such time as new or revised criteria are approved, existing criteria remain in force.

6. In addition to the two programs described under this policy, there exists a third merit pay program that is applicable only to those faculty members who hold the rank of Professor. This Post-Professorial Merit Pay program is described under the Faculty Tenure and Promotion Policy, because it utilizes promotion criteria, calendar, and processes.

Faculty Annual Merit Program

Development of Annual Performance Criteria. The full-time faculty of each academic department or equivalent unit shall as a whole develop, approve, and publish criteria that define minimum annual expectations for performance by the individual faculty member. Criteria must be applicable to both non-tenure track faculty as well as to tenure-track or tenured faculty, though the criteria and expectations need not be the same. Criteria must also be applicable to department chairpersons and should incorporate the administrative responsibilities of those positions. These administrative responsibilities shall be developed by the department in partnership with the dean, and forwarded to the Provost for approval.

Annual Performance Evaluation. The full-time faculty of each academic department or equivalent unit shall as a whole determine and publish the process to be used to conduct the annual evaluation of faculty member performance. Annual evaluations shall be conducted according to the procedures and calendar set out below.

1) For evaluation of the chair, both the department and the dean will evaluate the chair’s performance based on the developed criteria. The department will forward their written evaluation and recommendation to the dean. If dean’s evaluation is not in agreement with that of the department, the dean will forward all evaluations and justifications, and a written response from the chair if the chair so chooses, to the provost. The provost shall provide a resolution that will be forwarded to the president and involved parties.
2) In the evaluation of faculty members, other than the chair, the department faculty as a whole may choose to evaluate faculty by a designated departmental committee or delegate to the chair the evaluation of the department faculty.

a. In cases where the evaluation of a faculty member is done by a department committee, the recommendation of that committee, along with the evaluation and justification, shall be communicated in writing to the faculty member and the department chair. If the faculty member is not in agreement with the decision, he/she may request a review from the college tenure and promotion committee. The college committee’s recommendation, along with the evaluation and justification, shall be communicated in writing to the faculty member and the department chair. Within the indicated time period, the department chair may make an inquiry to the department committee, or where appropriate, the college tenure and promotion advisory committee regarding the evaluation of a specific faculty member, and that committee will provide a response. If the chair is not in agreement with that evaluation, the chair shall forward all written evaluations and justifications, and a written response from the faculty member, if the faculty member so chooses, to the dean. The dean shall provide a resolution that shall be forwarded to the provost and the involved parties. (For Kent Library faculty, the appellate body shall be the university tenure and promotion advisory committee for non-library faculty.)

b. In cases where the department faculty as a whole has delegated to the chair the evaluation of the faculty member, the chair’s recommendation, along with the evaluation and justification, shall be communicated in writing to that faculty member. If that faculty member is not in agreement with the recommendation, he/she may request a review from the college tenure and promotion committee. The college committee’s recommendation, along with the evaluation and justification, shall be communicated in writing to the faculty member and the department chair. If the chair is not in agreement with that evaluation, the chair shall forward all written evaluations and justifications, and a written response from the faculty member, if the faculty member so chooses, to the dean. The dean shall provide a resolution that shall be forwarded to the provost and the involved parties. (For Kent Library faculty, the appellate body shall be the university tenure
and promotion advisory committee, which shall fill the same roles as those filled by the college tenure and promotion advisory committee for non-library faculty.)

Each faculty member determined to have met the minimum expectations for performance as defined by the criteria, shall receive the standard increase to base salary. (It should be understood that continuous performance that meets minimum expectations as defined by departmental criteria does not assure tenure, promotion, or post-professorial merit.)

The annual review will identify faculty who are meeting minimum expectations, as determined by departmental criteria. These faculty will receive a salary increase funded by a pool consisting of at least 87.5 percent of the aggregate amount of each year's faculty salary increase determined through the annual budget review process. Promotions to Associate Professor and Professor shall be funded as a “cost of continuing”, determined by the annual budget review process.

Amended by Faculty Senate Bill 11-A-28, May, 4, 2011, reviewed by President May 2011, approved by Board of Regents May 13, 2011

Calendar for Annual Performance Program.

The performance evaluation process shall be conducted according to this calendar:

January 31: Faculty reports are due for accomplishments and contributions of the previous year.

February 1 - March 1: Notices of departmental committee recommendations regarding performance meeting or not meeting minimum expectations are communicated in writing to faculty. In the case of the chair evaluation, the departmental committee shall forward their written evaluation to the dean. The dean will then communicate the recommendation regarding performance meeting or not meeting minimum expectations to the chair. During this same time period, in the cases where a chair has been delegated the responsibility of evaluating faculty members, the chair shall communicate in writing his/her evaluation and justification to the faculty members.

March 2-March 12: Within this time period, in cases where the dean’s evaluation is not in agreement with the department’s evaluation, the dean will forward all evaluations and justifications, and a written response from the chair if the chair so chooses, to the provost. Also during this time period, in the case of a faculty member evaluated by a department committee, the department chair may make an inquiry to that committee regarding the evaluation of a specific faculty member, and the committee will provide a response. Also during this time
period, a faculty member, who is not in agreement with his/her evaluation by the department committee or chair, may appeal that evaluation to the college tenure and promotion advisory committee.

March 13- April 15: Appeals made to the college tenure and promotion advisory committee shall be decided and the evaluation and justification communicated in writing to the faculty member and to the department chair. During this time, if the chair is not in agreement with an evaluation from either the department committee or college tenure and promotion committee, the chair shall forward all written evaluations and justifications, and a written response from the faculty member, if the faculty member so chooses, to the dean. The dean shall provide a resolution that shall be forwarded to the provost and the involved parties.

Non-Tenure Track Faculty Merit Program

Development of Criteria for Non-Tenure Track Faculty Merit. In addition, the full-time faculty of each department or equivalent unit shall as a whole develop and approve criteria for periodic recognition of non-tenure track faculty. These criteria shall reflect higher than minimum performance, similar to the way that tenure, promotion, and post-professorial merit criteria (see Faculty Tenure and Promotion Policy) reflect higher than minimum performance. For a period of three years following the final approval of a revision of these criteria, a faculty member applying for Non-Tenure Track Faculty Merit may elect to be evaluated by the previous criteria instead of the new ones.

Performance Evaluation for Non-Tenure Track Faculty Merit. The full-time faculty of each academic department or equivalent unit shall as a whole determine the process to be used to conduct the separate periodic evaluation of the performance of eligible non-tenure track faculty members. An individual non-tenure track faculty member is eligible to apply for periodic Non-Tenure Track Faculty Merit in the fourth year of full-time employment and each four years after having received such recognition. The evaluation shall be conducted according to the calendar set out below. Each faculty member determined to have met the expectations for performance as defined by the criteria, shall receive an increase to base salary.

For non-tenure track merit, the amount of the base pay increase (see table below) shall be reviewed during the fiscal year 2010 budget review process and every two years thereafter.

Non-Tenure Track Faculty Merit
Monetary Amounts for Fiscal Years 2013 to 2017
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**Calendar for Non-Tenure Track Faculty Merit Program**

Should any of the following dates fall on a weekend or University holiday, materials and/or recommendations will be due by 5:00 p.m. on the business day after the date specified.

Non-tenure track faculty merit steps will be completed by the following dates:

- **August 15** - The provost shall inform deans, chairpersons, and the faculty member eligible to be considered for non-tenure track faculty merit that he or she may submit a dossier supporting his or her candidacy to the department chairperson.

**Preliminary Review.**

- **November 15** - The faculty member who wishes to apply for non-tenure track merit shall submit his or her dossier (as defined in the Tenure and Promotion Policy but modified to address non-tenure track criteria) to the department chairperson, who shall forward it to the Department Tenure and Promotion Advisory Committee.

- **December 15** - The Departmental Tenure and Promotion Advisory Committee chair shall notify the faculty member of deficiencies in or recommended modifications to the dossier.

**Final Review.**

- **January 31** - The faculty member shall submit a revised non-tenure track faculty merit dossier to the Departmental Tenure and Promotion Advisory Committee. Once the dossier is submitted, no further amendments to its contents may be made by the faculty member, unless in response to a recommendation as delineated below. (A letter of response shall not insert into the dossier specific information about the faculty member's professional accomplishments or performance that was not included in the dossier upon its original submission.) In addition, no evaluator may mark on the dossier or add anything to the dossier, except for the letters of recommendation, without prior consultation with and written approval by the faculty member involved.

- **February 20** - The Departmental Tenure and Promotion Advisory Committee shall prepare a letter identifying its recommendation and specifically stating the reasons why the faculty member meets or fails to meet each of the departmental non-tenure track merit criteria. A copy
of the letter shall be sent to the faculty member and the original added to the dossier. The dossier shall then be forwarded to the department chairperson.

Within two business days of receipt of the recommendation, the faculty member shall have the option of notifying the department chairperson in writing that he or she wishes to submit a letter of response to the recommendation. The written notification shall be added to the dossier. The actual letter of response must be submitted within five business days of receipt of the recommendation (with a copy to the chairperson of the Departmental Tenure and Promotion Advisory Committee), at which time it will also be added to the dossier.

March 15 - The department chairperson shall prepare a letter identifying his or her recommendation and specifically stating the reasons why the faculty member meets or fails to meet each of the departmental non-tenure track faculty merit criteria. A copy of the letter shall be sent to the faculty member and the original added to the dossier. The dossier shall then be forwarded to the dean.

Within two business days of receipt of the recommendation, the faculty member shall have the option of notifying the dean in writing that he or she wishes to submit a letter of response to the recommendation. The written notification shall be added to the dossier. The actual letter of response must be submitted within five business days of receipt of the recommendation (with a copy to the department chairperson), at which time it will also be added to the dossier.

April 15 - The dean shall prepare a letter identifying his or her recommendation and specifically stating the reasons why the faculty member meets or fails to meet each of the departmental non-tenure track faculty merit criteria. A copy of the letter shall be sent to the faculty member and the original added to the dossier. The dossier shall then be forwarded to the provost.

Within two business days of receipt of the recommendation, the faculty member shall have the option of notifying the provost in writing that he or she wishes to submit a letter of response to the recommendation. The written notification shall be added to the dossier. The actual letter of response must be submitted within five business days of receipt of the recommendation (with a copy to the dean), at which time it will also be added to the dossier.

May 5 - The provost shall prepare a letter identifying his or her recommendation and specifically stating the reasons why the faculty member meets or fails to meet each of the departmental non-tenure track faculty merit criteria. Copies of the letter shall be sent to the faculty member,
department chairperson, and dean and the original added to the dossier. The dossier shall then be forwarded to the president.

In the event that a faculty member's application receives negative recommendations from the dean and the provost, the faculty member may appeal to the president. During this appeal, the faculty member may introduce any evidence he or she wishes.

The president has the responsibility of making recommendations to the Board of Regents concerning the non-tenure track merit for an eligible faculty member. The Board shall make the final decision on granting non-tenure track merit to a faculty member.

Within one week of the meeting at which the Board of Regents renders its decision on a faculty member's candidacy for non-tenure track merit, the President will inform the faculty member in writing of the decision of the Board.

Approved by the Faculty Senate November 20, 1996 With modifications by President Dale F. Nitzschke in his endorsement of the bill December 10, 1996 Revised and Approved by Faculty Senate, Bill 02-A-05, April 24, 2002; Approved by Board of Regents, October 18, 2002 Revised and Approved by the Faculty Senate, Bill 08-A-05, April 30, 2008; Approved by Board of Regents May 9, 2008

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