

Proposed Changes to Rule 5.86 (formerly Policy 5.86)

NOTE: Sections referred to as Policy refer the prior version of this document. Sections referred to as Rule refer to proposed revision to prior Policy now contained in the Administrative Rules and Procedures (ARP). Sections referred to as Part refer to the proposed revisions to this Rule. This change, and the associated change in formatting and numbering, is due to the separation of the former Policy Manual into the Regents Policy Manual (RPM) and the accompanying ARP. This proposed revision is to Rule 5.86 (along with the concomitant changes to Rules 5.90 and 5.91).

NOTE: The “mark-up” version of this document will not show the formatting changes made nor corrections to previous typographical errors in an effort to make the revised version easier to read.

General, Rule-wide changes include:

- 1) Aspects of Annual Performance Review (APR) procedures that were in Policy 5.90 have been moved to Rule 5.86 “Performance Evaluation” to more clearly elucidate the annual evaluation process. Sections moved include 5.90.3.3 “Performance Evaluation”, 5.90.3.4 “Allocation of Effort”, 5.90.4 “Criteria for Promotion and Tenure”, and 5.90.5.1 “Annual Performance Evaluation and the Promotion and Tenure Process” (which are now Part 2 “Procedures for the Faculty Performance Evaluation System” and 3 “Allocation of Effort”, respectively, in Rule 5.86).
- 2) Throughout the Rule, all actions taken by Departmental P&T Committees, Department Heads, College P&T Committees, and Deans are now referred to as “recommendations” and not as “decisions” as it is only the EVPP who makes a decision on a candidate’s application for promotion and/or tenure.
- 3) Policy 5.90.4.5 “Leadership” and Policy 5.90.4.5.1 “Evaluation of Leadership” have been moved to the start of Rule 5.86 Part 4.C “Criteria for Annual Performance Evaluation.” Leadership is not a separate area of evaluation, and this change is intended to make that more clear.

Specific Rule changes:

- 1) The introductory paragraph of Part B “Overview...” was rewritten to clarify that performance reviews are to be conducted annually, that the review will be done relative to stated objectives and allocation of effort, and the college or community college will determine the form of the evaluation as long as it is consistent with the university’s Policy and Administrative Rules and Procedures.
- 2) Part 2D was expanded to include extension and outreach as part of the evaluation criteria.
- 3) Part 2G was expanded to explicitly include the role of the Department P&T committee, the College P&T committee, and the Dean.
- 4) Part 3 “Allocation of Effort” was moved from Policy 5.90 to this rule.

- 5) Part 4 sections A-
- 6) Part 4, section B.1.c.ii was clarified to indicate that only four areas (teaching and advising, research and creative activity, service, and extension and outreach) were to be included in the Allocation of Effort Form.
- 7) Part 4, section C was clarified in the introduction that Leadership should be considered within the context of each of the four areas in which effort was to be allocated.
- 8) The sections on Leadership and Evaluation of Leadership have been deleted and incorporated into Part 4, section C

1 ADMINISTRATIVE RULES AND PROCEDURES

2 **5.86 Performance Evaluation**

3 PART 1: Introduction

4 The following Administrative Rules and Procedures are adopted pursuant to the authority granted in
5 Regents' Policy 5.00. They establish the protocols by which faculty workload will be assigned and the
6 process and criteria for annual performance evaluation of faculty members. (See Rules 5.45 Department
7 Head - Review, 5.35 Deans - Review, and 5.15.40 Appointments - Nontenure-Track)

8 PART 2: Overview of the Faculty Performance Evaluation System

9 A. The performance of each faculty member, including college faculty, will be reviewed at least once a
10 year. The performance evaluation provides documentation of expectations and a record of faculty
11 performance relative to stated expectations. The form of the evaluation is determined by the college
12 or community college and shall align with promotion and tenure expectations.

13 B. Each college uses its own performance evaluation form (see Part 4.B "Performance Evaluation
14 Forms" of this rule). Early in each fall semester the department head or comparable administrator
15 supplies each faculty member with a form. At this time the department head confers with new faculty
16 members concerning the recording of objectives and goals and the general use of the form. In the
17 case of continuing faculty members, the department head or faculty may request a conference for the
18 purpose of revising or updating objectives previously agreed upon. Department heads will share the
19 above agreements in writing with the faculty member.

20 C. Department heads are expected to meet with all new and returning faculty members regarding
21 progress toward promotion and tenure and to certify in writing to the appropriate dean that these
22 meetings have occurred. Specific evaluative comments in each of the three areas of performance are
23 required, as well as separate comments about progress toward tenure and toward promotion.

24 D. Each faculty member completes a written form detailing and citing accomplishments in the broad
25 categories of teaching, research and/or creative scholarship, service, and extension and outreach
26 during the performance evaluation period. The type, method of collection, and disposition of
27 evidence regarding effectiveness of teaching is of particular importance, and faculty should consult
28 their with department head concerning collection of this evidence. The performance evaluation form,
29 along with any supplemental material, is submitted by each faculty member to the faculty member's
30 department head.

31 E. The department head reviews the faculty performance forms, prepares a written evaluation based
32 upon accomplishments reported as compared with previously set goals and objectives (a copy of this
33 report will be shared with the faculty member), and confers with appropriate deans to achieve
34 consensus on the written recommendation and the prepared summary to be discussed with the faculty
35 member. Following the conference with the dean, the department head meets with the faculty
36 member to discuss all aspects of the performance evaluation, addressing separately the person's
37 progress toward promotion, progress toward tenure, strengths, and weaknesses. This conference also
38 serves to set goals and objectives for the ensuing year. No mention shall be made at this conference
39 of the recommendation in terms of change in salary. These goals and objectives will be placed in
40 writing, with a copy to the faculty member.

Deleted: and

Deleted: _

Deleted: above, as well as

Deleted: <#>Policy Statement: The performance of each faculty member will be reviewed at least once a year by the department head, comparable administrator, or a committee. This review will include a written report submitted by the faculty member. The form(s) of this report shall be determined by individual colleges (community colleges) in consultation with their departments. The department head or comparable administrator shall report the results of this review to the individual being reviewed. These results shall serve to establish the goals for the following year. A written copy of the evaluation shall be given to the faculty member.¶

Deleted: Procedures for

Deleted: and

Deleted: s

Deleted: dollars

59 F. At community colleges with program coordinators, the coordinator performs the duties of a
60 department head in the evaluation process. The coordinator will confer with the community college
61 executive officer, who in turn confers with the executive vice president and provost.

62 G. Department heads, along with departmental promotion and tenure committees, college dean, and
63 college promotion and tenure committees formulate independent recommendations where appropriate
64 regarding promotion and tenure on the basis of policies stated in this manual. These are
65 communicated to the Executive Vice President and Provost.

Deleted: college dean

66 H. Each college generates its own time schedule for accomplishing the above items within the
67 parameters of the university calendar.

68 I. It will be the function of the Faculty Senate to legislate policy regarding the Faculty Performance
69 Evaluation System.

70 **PART 3: Allocation of Effort**

71 A. Service to Mission: The amount of effort that faculty members regardless of rank or position devote
72 to the various aspects of their duties necessarily varies, and any fair promotion and tenure process will
73 recognize these variations. A successful process considers whether the faculty member is effectively
74 servicing the mission of the university, as defined by a department's criteria and the individual's agreed
75 upon goals and objectives. This means, for example, that the efforts of a faculty member made in
76 response to administrators or committees are taken into account during promotion and tenure
77 evaluation and are not discredited.

78 B. Fairness Despite Variance in Duties: One faculty member may devote more time to teaching at one
79 point than at another. The efforts of two faculty members may vary at the same points in their careers
80 according to their particular strengths and department needs. Faculty assignments in different
81 departments will also vary. It is fundamentally unfair, for example, to expect the same amount of
82 scholarship and creative activity, service, extension, or outreach from a faculty member teaching one
83 class a semester as from another faculty member teaching three classes a semester or several large
84 lecture classes.

85 C. Equitable Treatment: In order to ensure equitable treatment, every faculty member will complete an
86 allocation of effort statement (see Part 4.B.1 "Allocation of Effort Statement" of this rule) as part of
87 the annual evaluation process. When determining the allocation of effort, decisions must be made
88 without regard to race, national origin, gender, gender identity, age, disability, political beliefs,
89 religion, marital status, sexual orientation, special friendships, or animus towards candidates. Further,
90 for the allocation of effort statement to be accurate and useful, administrators at all levels must
91 understand and take an active role in avoiding institutional factors that could produce an undue
92 burden on untenured faculty members and those from underrepresented groups in the allocation of
93 effort process.

94 D. Use of Allocation of Effort Statement: Each college shall develop and use an allocation of effort
95 statement as specified in Part 4.B.1 "Allocation of Effort Statement" of this rule. These statements
96 shall be a part of the faculty member's tenure and/or promotion portfolio, and all aspects of the
97 agreed upon efforts shall be factored into the recommendation made at each step of the process.

98 **PART 4: Annual Performance Evaluation**

99 A. Performance evaluation policies in the principal units shall include the following elements:

- 101 1. A statement that Performance Evaluations are conducted annually.
- 102 2. A timeline consistent with the timeline for promotion and for tenure as described in Rule 5.90
 103 Part P “University Timeline for Promotion and Tenure.”
- 104 3. The requirement that each faculty member meet with their department head or comparable
 105 administrator annually regarding progress toward promotion and tenure, the recording of
 106 objectives and goals, and the department faculty evaluation format.
- 107 4. An opportunity for the faculty member to submit a written statement in response to annual
 108 performance evaluations.
- 109 5. A procedure for transmitting the performance evaluation, along with any supporting material,
 110 from the faculty member to the faculty member’s department head.
- 111 6. A procedure for transmitting a written copy of the department head’s or comparable
 112 administrator’s review to the individual being reviewed and, along with the faculty member’s
 113 written statement, to the dean or equivalent administrator.
- 114 7. A procedure to certify in writing to the appropriate dean or comparable administrator that a
 115 meeting with each faculty member has occurred.

116 B. Performance Evaluation Forms

117 Performance evaluation forms in the principal units shall include the following elements:

- 118 1. Allocation of Effort Statement:
- 119 a. The allocation percentages will be agreed upon by the faculty member and the department
 120 head, and will be approved annually by the faculty member’s department head and dean. If
 121 agreement cannot be reached, the dean or equivalent administrator may assign the allocation
 122 of effort, and the faculty member may appeal through existing university procedures.
- 123 b. The allocation of effort statement and percentages may be altered during the year with the
 124 mutual agreement of the faculty member, department head, and dean to reflect changing
 125 circumstances, such as service on a particularly time-consuming committee or grant, time for
 126 scholarship and creative activity, emergency teaching and advising assignments, etc.
- 127 c. At the minimum, this statement shall contain the following elements:
- 128 i. Percentage of effort devoted to: (1) teaching and advising or its equivalent, (2)
 129 scholarship and creative activity, (3) service, and (4) extension and outreach. The total
 130 percentage shall be 100%, but any category may be zero percent. Only the four areas
 131 listed above can be assigned a percentage of effort on the Allocation of Effort Statement.
- 132 ii. A list of the courses to be taught including the number of semester credit hours, student
 133 enrollment, and level of courses.
- 134 iii. A statement of what the principal unit considers a full teaching and advising load.

Deleted: (

Deleted:)

Deleted: described

Deleted: T

139 iv. If the principal unit utilizes a weighting, ranking, or scoring system, the value assigned to
140 each category must be indicated. The values must be calculated proportionately to a
141 candidate's allocation of effort.

142 2. Current Position Description.

143 3. Submission from Faculty Member: A written section submitted by the faculty member detailing
144 and citing accomplishments in relation to the criteria for promotion and tenure.

145 4. Written Review by Department Head or Equivalent: A written review from the department head
146 or comparable administrator including specific commendations, concerns, and recommendations
147 in each of the areas of performance, as well as separate comments about progress toward
148 promotion and tenure.

149 C. Criteria for Annual Performance Evaluation

150 When considering the Annual Performance Evaluation, serious attention will be given to
151 performances in the applicable areas of teaching and advising (or its equivalent), scholarship and
152 creative activity, service, and extension and outreach. The relative importance of each of these areas
153 varies according to the cumulative allocation of effort statements. Each area is vital to the
154 university's ability to achieve its mission, and the performance of a faculty member will be viewed as
155 an indication of future contributions.

156 While a faculty member's performance is to be evaluated through their contributions in teaching and
157 advising, scholarship and creative activity, extension and outreach, and service, leadership is an
158 important component. In demonstrating leadership, each faculty member must show that they are
159 having an impact as evidenced by scholarship and creative activity, and by contributions to the
160 advancement of the university which may include administrative roles in which considerable and
161 well-documented contributions to the university have been made. Leadership should not be
162 considered as a separate area to be evaluated. Rather, when applicable, its value should be considered
163 in how they affect performance in teaching and advising, scholarship and creative activity, extension
164 and outreach, and service.

165 1 Teaching and Advising

166 a. Elements of Teaching as Essential Criterion: Teaching is central to NMSU's mission. For
167 those who teach, effectiveness in teaching and advising is an essential criterion for tenure and
168 for advancement in rank. The teaching and advising category includes all forms of
169 university-level instructional activity, as well as advising undergraduate and graduate
170 students, both within and outside the university community. Such activities are commonly
171 characterized by the dissemination of knowledge within a faculty member's area of expertise;
172 skill in stimulating students to think critically and to apply knowledge to human problems;
173 the integration and application of relevant domestic and international, social, political,
174 economic, and ethical implications into class content; the preparation of students for careers
175 in specific fields of study; and the creation and supervision of appropriate field or clinical
176 practicum's.

177 b. Responsibilities of Teaching and Advising: Teaching and advising responsibilities may
178 include, but are not limited to, preparation for and teaching of a variety of courses, seminars,
179 and other academic learning experiences; non-credit workshops and informal instructional
180 activities; course and program development; team or collaborative teaching; web-based

181 instruction, both on and off campus; supervision of student research, performances, or
182 productions; service on graduate student program and research committees; field supervision
183 and administration of field or clinical experiences; production of course materials, textbooks,
184 web pages and other electronic aids to learning; and others.

185 c. Forms of Faculty Advising: Faculty advising may take the form of assisting undergraduate or
186 graduate students in the selection of courses or careers, assisting learners in educational
187 programs on and off campus, mentoring students, serving as faculty adviser to student
188 groups, research and teaching advising, as well as other forms.

189 d. Evaluation of Teaching

190 i. Evidence By Which Teaching Effectiveness is Assessed: Teaching is a complex and
191 multifaceted activity. Therefore, several forms of evidence should be used to assess
192 comprehensively teaching effectiveness. Each form of evidence should carry a weight
193 appropriate to its importance in evaluating teaching. Such documentation must
194 demonstrate command of subject matter, continuous growth, and development in the
195 subject field, the ability to organize material and convey it effectively to students,
196 assessment of student learning, revision and updates of curricula, and the integration of
197 scholarship (for faculty who produce scholarship) and service with teaching. Materials
198 appropriate for evaluating teaching should include: (a) evidence from the instructor, (b)
199 evidence from other professionals, (c) evidence from students, and (d) evidence of
200 student learning. At least two forms of evidence must be used, but it is not necessary for
201 all four types of evidence be used.

202 ii. Principal Units To Develop Guidelines: Each principal unit is to create clear guidelines
203 for its teaching faculty that define teaching responsibilities and specify required evidence
204 documenting teaching effectiveness. Specific data to be included in the evaluation packet
205 will be determined by each principal unit.

206 e. Evaluation of Advising: For promotion and tenure considerations, performance in such
207 activities must be documented and evaluated. Each principal unit is to create clear
208 guidelines regarding the responsibilities and documentation requirements for its
209 faculty who advise.

210 2. Scholarship and Creative Activity [*Amendment (FS Proposition 09-09/10 to be effective*
211 *07.01.01) passed by the Faculty Senate 02.04.10; presented to Administrative Council 04.13.10;*
212 *ratified by the Board of Regents 05.07.10*]

213 a. Rationale: This understanding is grounded in Boyer's concept of the four scholarships: (1) the
214 scholarship of discovery involves processes, outcomes, and the passionate commitment of the
215 professoriate and others in the university to disciplined inquiry and exploration in the
216 development of knowledge and skills; (2) the scholarship of teaching involves dynamic,
217 reciprocal, and critically reflective processes among teachers and learners at the university
218 and in the community in which their activity and interaction enriches and transforms
219 knowledge and skills, taught and learned; (3) the scholarship of engagement refers to the
220 many and varied ways to responsibly offer and employ knowledge and skills to matters of
221 consequence to the university and the community; and (4) the scholarship of integration is the
222 process by which knowledge and skills are assessed, interpreted, and applied in new and
223 creative ways to produce new, richer, and more comprehensive, insights, understanding, and
224 outcomes.

225 b. NMSU Definition of Scholarship and Creative Activity: Products developed through these
226 processes, are public, open to peer review, and available for use by others. Scholarship and
227 creative activity can take many forms, including but not limited to refereed publications. At
228 NMSU's community colleges, scholarship and creative activity includes scholarship that is
229 also evidenced by professional development activities that disseminate knowledge to the
230 college's learning communities.

231 c. Acknowledgement of Land Grant Mission: This definition reflects the university's mission
232 as the state's land-grant university, serving the needs of New Mexico's diverse population
233 through comprehensive programs of teaching and advising, scholarship and creative activity,
234 extension and outreach, and service. It addresses the breadth and diversity of scholarly and
235 creative activity among faculty, staff, and students through which this mission is fulfilled.

236 d. Use of Technology is a Factor in Evaluation Categories: The dissemination and creation of
237 scholarly work using technology is becoming increasingly important. Accordingly, it is
238 important that promotion and tenure committees recognize this when evaluating a candidate's
239 portfolio. The rapid pace at which technology changes makes it difficult to use a single set of
240 evaluation criteria to fit all cases encountered. Technology often crosses the rigid boundaries
241 of teaching and advising, scholarship and creative activity, service, extension, and outreach,
242 and as such, it must be evaluated in as many of these categories as appropriate. Flexibility in
243 evaluation of the candidate's technology efforts is paramount. Reviewers must be aware of
244 expectations placed on the candidate at the time of hiring and during annual reviews and are
245 encouraged to evaluate technology-based scholarship and creative activity using appropriate
246 criteria.

247 e. Evaluation of Scholarship and Creative Activity

248 All scholarly activity and outcomes, regardless of funding source, must consider the
249 following criteria adapted from Diamond¹:

250 i. The activity's purposes, goals, and objectives are clear. The objectives are realistic and
251 achievable. It addresses important questions in the field.

252 ii. The activity reveals a high level of discipline-related expertise. The scholar brings to the
253 activity a high level of relevant knowledge, skills, artistry, and reflective understanding.

254 iii. Appropriate methods are used for the activity, including principles of honesty, integrity,
255 and objectivity. The methods have been chosen wisely, and applied effectively. It allows
256 for replication or elaboration.

257 iv. The activity achieves its goals and its outcomes have significant impact. It adds
258 consequentially to the field. It breaks new ground or is innovative. It leads to further
259 exploration or new avenues for exploration for the scholar and for others.

260 v. The activity and outcomes have been presented appropriately and effectively to its
261 various audiences.

¹ Diamond, Robert M. (2002). *Serving on promotion, tenure, and faculty review committees: A faculty guide, 2nd ed.* Bolton, MA: Ankar Publishing.

- 262 vi. The activity and outcomes are judged meritorious and significant by one's peers.
- 263 vii. The scholar has critically evaluated the activity and outcomes and has assessed the
264 impact and implications on the greater community, the community of scholars and on
265 one's own work. The scholar uses this assessment to improve, extend, revise, and
266 integrate subsequent work.

267 3 Extension and Outreach

268 The central role of extension and outreach is recognized in that several principal units are
269 dedicated to these functions. There are also numerous faculty members in other units for whom
270 extension and outreach are major components of their duties.

271 a Evaluation of Extension and Outreach

272 i. Collaborative Effort: Extension and outreach work is collaborative by nature. Faculty
273 should provide evidence of collaboration with whomever necessary to identify local
274 needs, garner resources, discover and adapt new knowledge, design and deliver
275 programs, assess clientele skill changes, and communicate program results.
276 Collaborative effort should also include networking with other university faculty in
277 identified areas of program discovery, development, and delivery, including applications
278 to teaching and advising where appropriate.

279 ii. Evaluation Guidelines: To evaluate extension and outreach scholarship the following
280 guidelines are recommended:

281 o Faculty must provide evidence of extension and outreach scholarship in order that
282 these [collaborative] efforts are recognized.

283 o The documentation should provide evidence that the work is:

- 284 • creative and intellectual;
- 285 • validated by peers;
- 286 • communicated to stakeholders; and
- 287 • have an impact on stakeholders and the region.

288 o Components of extension scholarship include:

- 289 • developing programs based on locally identified needs, concerns, and/or issues;
290 targeting specific audiences;
- 291 • setting goals and objectives for the program;
- 292 • reviewing current literature and/or research for the program;
- 293 • planning appropriate program delivery;
- 294 • documenting changes in clientele knowledge, behaviors, attitudes, and/or skills;

- 295
- conducting a reflective critique and/or evaluation of the program;
- 296
- validation of the program by peers and/or stakeholders; and
- 297
- communication of results to stakeholders and decision makers.

298 4 Service

299 Service is an essential component of the university's mission and requires that the faculty
300 member contribute to the organization and development of the university, as well as provide
301 service to local, state, national, or international agency, organization, or institution needing the
302 faculty member's professional knowledge and skills.

303 a Evaluation of Service

304 The type and amount of service that a faculty member performs should be determined in
305 consultation with the appropriate administrator(s). All relevant activities in which a faculty
306 member participates should receive appropriate consideration for promotion and tenure
307 decisions. Service contributions should be evaluated based on how they are applied and how
308 they draw upon the professional expertise of the faculty member.