

Proposed Changes to Rule 5.91 (formerly Policy 5.89)

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 5.91 (along with the concomitant changes to Rules 5.86 and 5.90).

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) Policy 5.87 “Post-Tenure Review” has been renumbered and reformatted in its entirety to Rule 5.91 to provide better organization to this section of the ARP.

Specific Rule changes:

- 1) Part 2, sections A and B were expanded to clarify that the evaluations would be done in the four areas of faculty effort: teaching and advising, research and creative activity, service, and extension and outreach.
- 2) Part 3, section A was expanded to clarify that the faculty member’s Department Head, Dean, or equivalent supervisor could initiate a more complete post-tenure review than the annual performance review and that it was the responsibility of the Department Head to inform the faculty member of this decision. This replaces the prior wording of “superior”.

1 **5.91 Post-Tenure Review** [Policy (Proposition 22-05/06) passed by the Faculty Senate 05.04.06;
2 policy adoption ratified by the Board of Regents 09.08.06]

3 **Part 1: Introduction**

4 The Post-Tenure Review Policy ensures that all tenured faculty members will receive an annual review and that
5 those with either exceptionally fine performance or serious deficiencies in one or more areas will be identified.
6 Special achievement shall be rewarded in a manner determined by each college or community college campus. For
7 a tenured faculty member who receives two successive unsatisfactory annual reviews with identified and
8 uncorrected serious deficiencies, this policy provides a mechanism to establish a remedial program for correcting the
9 deficiencies. The legislation to which this policy responds is particularly concerned with the quality of teaching, and
10 that fact shall be considered when taking any action under this policy. In particular, faculty whose teaching needs
11 improvement will be urged to take advantage of "programs designed to assist faculty members in enhancing their
12 teaching skills." (NMSA 1978, Section 21-1-7.1)

13 **Part 2: Annual Reviews**

14 A. Annual Review for Tenured Faculty: Tenured faculty members annually participate in and receive an extensive
15 examination of their teaching ~~and advising~~, their ~~scholarship and creative activity~~, ~~their extension and outreach~~,
16 and their service as part of the annual review process conducted in accordance with [5.86 Performance](#)
17 [Evaluations](#) of the Academic Rules and Procedures. This annual review document shall be labeled the Post
18 Tenure Review of each tenured faculty member. This Post Tenure Review shall weight these ~~four~~ areas of
19 teaching ~~and advising~~, ~~scholarship and creative activity~~, ~~extension and outreach~~, and service in proportion to the
20 percentage each category is given in the faculty member's allocation of effort for a given year.

Deleted: research and scholarly output

Deleted: three

Deleted: scholarly work

21 B. Post Tenure Review Not Applicable for Full Time Administrators: Administrators who hold tenured faculty
22 rank are reviewed on the performance of their faculty duties (~~teaching and advising~~, ~~scholarship and creative~~
23 ~~activity~~, ~~extension and outreach~~, and ~~service~~). Administrators who have no assigned faculty duties will not be
24 reviewed under this policy.

Deleted: teaching, research, and service

25 **Part 3: More Complete Post-Tenure Reviews**

26 A. Notification to Faculty Member about Deficiency: If, in the judgment of ~~their Department Head or Dean or~~
27 ~~equivalent supervisor~~, the annual review for a tenured faculty member shows a serious deficiency in the
28 performance of that faculty member, the ~~Department Head~~ shall inform the faculty member in writing of the
29 deficiency as well as recommend actions the faculty member might take to address the issue.

Deleted: a

Deleted: superior

Deleted: superior

30 B. Deficiency Not Rectified: If the deficiency or deficiencies continues for two or more years and if the faculty
31 member has not taken the corrective actions, one of two possible courses of action may ensue:

32 1. The faculty member may request that the superior submit the record of poor performance and suggested
33 actions to the other tenured faculty members of the unit for consideration in a more complete review, or

34 2. If the faculty member does not request the review, the superior may initiate such a review with the
35 concurrence of a majority of the tenured faculty in the academic unit.

36 C. Goal of and Procedures for More Complete Review: The more complete review shall have the aim of
37 identifying strengths and weaknesses of the faculty member in teaching, research, and service.

38 1. This review shall be undertaken by the departmental promotion and tenure committee.

39 2. If there is no departmental promotion and tenure committee for that unit, the review will be undertaken by
40 the equivalent college-level promotion and tenure committee as specified in [5.90 Promotion and Tenure](#) of
41 this manual.

- 49 3. Student evaluations must be considered when evaluating the faculty member's teaching, along with other
50 factors.
- 51 4. If the reviewers conclude that the faculty member's performance is not seriously deficient, the faculty
52 member shall be so informed and a statement of the finding placed in the faculty member's personnel file.
- 53 5. If serious deficiency is found, a specific remedial program shall be developed in consultation with the
54 faculty member that includes procedures, criteria for evaluating progress, and a reasonable timetable. If the
55 faculty member's teaching needs improvement, such a program might include participation in programs
56 offered by the Teaching Academy, mentoring by a recipient of teaching awards, intensive study of
57 videotaped classroom sessions, etc. When research and publication needs improvement, collaboration with
58 another faculty member and participation in workshops on publishing might be indicated. However, in
59 accordance with NMSA 1978, Section 21-1-7.1, part E(1), any remedial effort can be no shorter than two
60 years in length.
- 61 D. Enhancement Program: Whether or not a tenured faculty member accepts the recommendation to participate in
62 a teaching or scholarly work enhancement program, and whether or not the member performs well in the
63 program, the faculty member's performance will be judged on subsequent teaching and scholarly work.
- 64 E. Frequency of Review: The more complete review shall not be initiated for any tenured faculty member more
65 frequently than once every five years.
- 66 F. Persistent Teaching Deficiencies
- 67 1. If a tenured faculty member's teaching deficiencies are considered by the executive vice president and
68 provost to be very serious and to have been uncorrected at the conclusion of the agreed time period, and
69 further, if there is evidence that the faculty member's teaching performance has deteriorated since the
70 award of tenure such that the faculty member's teaching performance is now typically unsatisfactory, the
71 executive vice president and provost shall recommend loss of tenure for the faculty member in question.
- 72 2. If tenure is to be revoked, the university shall follow the processes specified in [5.98 Tenure Track and](#)
73 [Tenure](#) for Involuntary Termination of a Continuous Contract, subject to the safeguards of [4.25 Due](#)
74 [Process](#).

75 **Part 4: Reporting**

- 76 Every year, each academic dean and the chief community college executive officer of each campus shall report to
77 the executive vice president and provost the following:
- 78 A. The number of tenured faculty receiving annual evaluations,
- 79 B. The number receiving unsatisfactory evaluations,
- 80 C. The number of tenured faculty who have been the subject of a more detailed peer review,
- 81 D. The number of faculty who have participated in a remedial program as a result,
- 82 E. The results of those programs, and
- 83 F. The number of faculty whose tenure have been revoked.