

## 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 and, 5.35 Deans — Review, and above, as well as 5.15.40 Appointments - Nontenure-  
8 Track)

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

17 **PART 2: Procedures for Overview of the Faculty Performance Evaluation System**

18 A. The performance of each faculty member, including college faculty, will be reviewed at least once a  
19 year. The performance evaluation provides documentation of expectations and a record of faculty  
20 performance relative to stated expectations in allocation of effort documents. The form of the  
21 evaluation is determined by the college or community college.

22 A-B. Each college uses its own performance evaluation form (see Part 4.B “Performance Evaluation  
23 Forms” of this rule). Early in each fall semester the department head or comparable administrator  
24 supplies each faculty member with a form. At this time the department head confers with new faculty  
25 members concerning the recording of objectives and goals and the general use of the form. In the  
26 case of continuing faculty members, the department head or faculty may request a conference for the  
27 purpose of revising or updating objectives previously agreed upon. Department heads will share the  
28 above agreements in writing with the faculty member.

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

33 C-D. Each faculty member completes a written form detailing and citing accomplishments in the broad  
34 categories of teaching, research and/or creative scholarship, ~~and~~ service, and extension and outreach  
35 during the performance evaluation period. The type, method of collection, and disposition of  
36 evidence regarding effectiveness of teaching is of particular importance, and faculty should consult  
37 their with department heads concerning collection of this evidence. The performance evaluation  
38 form, along with any supplemental material, is submitted by each faculty member to the faculty  
39 member’s department head.

40 D-E. The department head reviews the faculty performance forms, prepares a written evaluation based  
41 upon accomplishments reported as compared with previously set goals and objectives (a copy of this

42 report will be shared with the faculty member), and confers with appropriate deans on the written  
43 recommendation and the prepared summary to be discussed with the faculty member. Following the  
44 conference with the dean, the department head meets with the faculty member to discuss all aspects of  
45 the performance evaluation, addressing separately the person’s progress toward promotion, progress  
46 toward tenure, strengths, and weaknesses. This conference also serves to set goals and objectives for  
47 the ensuing year. No mention shall be made at this conference of the recommendation in terms of  
48 ~~dollars~~change in salary. These goals and objectives will be placed in writing, with a copy to the  
49 faculty member.

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

53 ~~E.G.~~ Department heads, along with departmental promotion and tenure committees, college dean, and  
54 college promotion and tenure committees formulate independent recommendations where appropriate  
55 regarding promotion and tenure on the basis of policies stated in this manual. These are  
56 communicated to the ~~college dean~~Executive Vice President and Provost.

57 ~~G.H.~~ Each college generates its own time schedule for accomplishing the above items within the  
58 parameters of the university calendar.

59 ~~H.I.~~ It will be the function of the Faculty Senate to legislate policy regarding the Faculty Performance  
60 Evaluation System.

### 61 PART 3: Allocation of Effort

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

69 B. Fairness Despite Variance in Duties: The efforts of two faculty members may vary at the same points  
70 in their careers according to their particular strengths and department needs. Faculty assignments in  
71 different departments will also vary. It is fundamentally unfair, for example, to expect the same  
72 amount of scholarship and creative activity, service, extension, or outreach from a faculty member  
73 teaching one class a semester as from another faculty member teaching three classes a semester or  
74 several large lecture classes.

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

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

88 **PART 4: Annual Performance Evaluation**

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

- 90 1. A statement that Performance Evaluations are conducted annually.
- 91 2. A timeline consistent with the timeline for promotion and for tenure as described in Rule 5.90  
92 Part P “University Timeline for Promotion and Tenure.”
- 93 3. The requirement that each faculty member meet with their department head or comparable  
94 administrator annually regarding progress toward promotion and tenure, the recording of  
95 objectives and goals, and the department faculty evaluation format.
- 96 4. An opportunity for the faculty member to submit a written statement in response to annual  
97 performance evaluations.
- 98 5. A procedure for transmitting the performance evaluation, along with any supporting material,  
99 from the faculty member to the faculty member’s department head.

100 ~~4.6.~~ A procedure for transmitting a written copy of the department head’s or comparable  
101 administrator’s review to the individual being reviewed and, along with the faculty member’s  
102 written statement, to the dean or equivalent administrator.

103 ~~2.7.~~ A procedure to certify in writing to the appropriate dean or comparable administrator that a  
104 meeting with each faculty member has occurred.

105 A.B. Performance Evaluation Forms

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

107 1. Allocation of Effort Statement:

- 108 a. The allocation percentages will be agreed upon by the faculty member and the department  
109 head, and will be approved annually by the faculty member’s department head and dean. If  
110 agreement cannot be reached, the dean or equivalent administrator may assign the allocation  
111 of effort, and the faculty member may appeal through existing university procedures.
- 112 b. The allocation of effort statement and percentages may be altered during the year with the  
113 mutual agreement of the faculty member, department head, and dean to reflect changing  
114 circumstances, such as service on a particularly time-consuming committee or grant, time for  
115 scholarship and creative activity, emergency teaching and advising assignments, etc.
- 116 c. At the minimum, this statement shall contain the following elements:
  - 117 i. Percentage of effort devoted to: (1) teaching and advising or its equivalent, (2)  
118 scholarship and creative activity, (3) service, and (4) extension and outreach. (The total  
119 percentage shall be 100%, but any category may be zero percent.) Only the four areas

120 ~~described-listed~~ above can be assigned a percentage of effort on the Allocation of Effort  
121 Statement.

- 122 ii. A statement of what the principal unit considers a full teaching and advising load.
- 123 iii. If the principal unit utilizes a weighting, ranking, or scoring system, the value assigned to  
124 each category must be indicated. The values must be calculated proportionately to a  
125 candidate's allocation of effort.

126 2. Current Position Description.

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

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

133 B.C. Criteria for Annual Performance Evaluation

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

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

149 1 Teaching and Advising

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

- 161 b. Responsibilities of Teaching and Advising: Teaching and advising responsibilities may  
 162 include, but are not limited to, preparation for and teaching of a variety of courses, seminars,  
 163 and other academic learning experiences; non-credit workshops and informal instructional  
 164 activities; course and program development; team or collaborative teaching; web-based  
 165 instruction, both on and off campus; supervision of student research, performances, or  
 166 productions; service on graduate student program and research committees; field supervision  
 167 and administration of field or clinical experiences; production of course materials, textbooks,  
 168 web pages and other electronic aids to learning; and others.
- 169 c. Forms of Faculty Advising: Faculty advising may take the form of assisting undergraduate or  
 170 graduate students in the selection of courses or careers, assisting learners in educational  
 171 programs on and off campus, mentoring students, serving as faculty adviser to student  
 172 groups, research and teaching advising, as well as other forms.
- 173 d. Evaluation of Teaching
- 174 i. Evidence By Which Teaching Effectiveness is Assessed: Teaching is a complex and  
 175 multifaceted activity. Therefore, several forms of evidence should be used to assess  
 176 comprehensively teaching effectiveness. Each form of evidence should carry a weight  
 177 appropriate to its importance in evaluating teaching. Such documentation must  
 178 demonstrate command of subject matter, continuous growth, and development in the  
 179 subject field, the ability to organize material and convey it effectively to students,  
 180 assessment of student learning, revision and updates of curricula, and the integration of  
 181 scholarship (for faculty who produce scholarship) and service with teaching. Materials  
 182 appropriate for evaluating teaching should include: (a) evidence from the instructor, (b)  
 183 evidence from other professionals, (c) evidence from students, and (d) evidence of  
 184 student learning. At least two forms of evidence must be used, but it is not necessary for  
 185 all four types of evidence be used.
- 186 ii. Principal Units To Develop Guidelines: Each principal unit is to create clear guidelines  
 187 for its teaching faculty that define teaching responsibilities and specify required evidence  
 188 documenting teaching effectiveness. Specific data to be included in the evaluation packet  
 189 will be determined by each principal unit.
- 190 e. Evaluation of Advising: For promotion and tenure considerations, performance in such  
 191 activities must be documented and evaluated. Each principal unit is to create clear  
 192 guidelines regarding the responsibilities and documentation requirements for its  
 193 faculty who advise.
- 194 2 Scholarship and Creative Activity [*Amendment (FS Proposition 09-09/10 to be effective*  
 195 *07.01.01) passed by the Faculty Senate 02.04.10; presented to Administrative Council 04.13.10;*  
 196 *ratified by the Board of Regents 05.07.10]*
- 197 a. Rationale: This understanding is grounded in Boyer's<sup>1</sup> concept of the four scholarships:
- 198 i. The scholarship of discovery involves processes, outcomes, and the  
 199 passionate commitment of the professoriate and others in the university

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1 Boyer, Ernest L. (1990). *Scholarship reconsidered: Priorities of the Professoriate*. New York: Carnegie Foundation for the Advancement of Teaching.

- 200 to disciplined inquiry and exploration in the development of knowledge  
201 and skills;
- 202 ii. The scholarship of teaching involves dynamic, reciprocal, and critically  
203 reflective processes among teachers and learners at the university and in  
204 the community in which their activity and interaction enriches and  
205 transforms knowledge and skills, taught and learned;
- 206 iii. The scholarship of engagement refers to the many and varied ways to  
207 responsibly offer and employ knowledge and skills to matters of  
208 consequence to the university and the community; and
- 209 iv. The scholarship of integration is the process by which knowledge and  
210 skills are assessed, interpreted, and applied in new and creative ways to  
211 produce new, richer, and more comprehensive, insights, understanding,  
212 and outcomes.
- 213 b. NMSU Definition of Scholarship and Creative Activity: Products developed through these  
214 processes, are public, open to peer review, and available for use by others. Scholarship and  
215 creative activity can take many forms, including but not limited to refereed publications. At  
216 NMSU's community colleges, scholarship and creative activity includes scholarship that is  
217 also evidenced by professional development activities that disseminate knowledge to the  
218 college's learning communities.
- 219 c. Acknowledgement of Land Grant Mission: This definition reflects the university's mission  
220 as the state's land-grant university, serving the needs of New Mexico's diverse population  
221 through comprehensive programs of teaching and advising, scholarship and creative activity,  
222 extension and outreach, and service. It addresses the breadth and diversity of scholarly and  
223 creative activity among faculty, staff, and students through which this mission is fulfilled.
- 224 d. Evaluation of Scholarship and Creative Activity
- 225 All scholarly activity and outcomes, regardless of funding source, must consider the  
226 following criteria adapted from Diamond<sup>2</sup>:
- 227 i. The activity's purposes, goals, and objectives are clear. The objectives are realistic and  
228 achievable. It addresses important questions in the field.
- 229 ii. The activity reveals a high level of discipline-related expertise. The scholar brings to the  
230 activity a high level of relevant knowledge, skills, artistry, and reflective understanding.
- 231 iii. Appropriate methods are used for the activity, including principles of honesty, integrity,  
232 and objectivity. The methods have been chosen wisely, and applied effectively. It allows  
233 for replication or elaboration.
- 234 iv. The activity achieves its goals and its outcomes have significant impact. It adds  
235 consequentially to the field. It breaks new ground or is innovative. It leads to further  
236 exploration or new avenues for exploration for the scholar and for others.

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<sup>2</sup> [Diamond, Robert M. \(2002\). \*Serving on promotion, tenure, and faculty review committees: A faculty guide\*, 2<sup>nd</sup> ed. Bolton, MA: Ankar Publishing.](#)



- 237 v. The activity and outcomes have been presented appropriately and effectively to its  
238 various audiences.
- 239 vi. The activity and outcomes are judged meritorious and significant by one's peers.
- 240 vii. The scholar has critically evaluated the activity and outcomes and has assessed the  
241 impact and implications on the greater community, the community of scholars and on  
242 one's own work. The scholar uses this assessment to improve, extend, revise, and  
243 integrate subsequent work.

### 244 3 Extension and Outreach

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

#### 248 a Evaluation of Extension and Outreach

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

256 ii. Evaluation Guidelines: To evaluate extension and outreach the following guidelines are  
257 recommended:

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

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

261 • creative and intellectual;

262 • communicated to stakeholders; and

263 • have an impact on stakeholders and the region.

264 o Components of extension include:

265 • developing programs based on locally identified needs, concerns, and/or issues;  
266 targeting specific audiences;

267 • setting goals and objectives for the program;

268 • reviewing current literature and/or research for the program;

269 • planning appropriate program delivery;

- 270 • documenting changes in clientele knowledge, behaviors, attitudes, and/or skills;
- 271 • conducting a reflective critique and/or evaluation of the program;
- 272 • validation of the program by peers and/or stakeholders; and
- 273 • communication of results to stakeholders and decision makers.

#### 274 4 Service

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

##### 279 a Evaluation of Service

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