

## Report on the Proposed BOT Policy on the Expanded Application of the EPPR Process

Beauvais Lyons, Faculty Senate President

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The UT Board of Trustees is considering changes to board policy related to tenure. The UTK Faculty Senate Executive Council, as well as the University Faculty Council have been involved in this process since last summer, and previously had input into the enhanced EPPR system that was implemented this year. While there are many parts to the policies under consideration, below is the current draft of a policy on expanded EPPR, which raises some issues for discussion:

“The Board of Trustees recognizes and affirms the importance of tenure in protecting academic freedom and thus promoting the University’s principle mission of discovery and dissemination of truth through teaching, research, and service. The Board also recognizes its fiduciary responsibility to students, parents, and all citizens of Tennessee to ensure that faculty members effectively serve the needs of students and the University throughout their careers. Therefore, in addition to the three circumstances listed above that will trigger an Enhanced Post-Tenure Performance Review of a tenured faculty member, the Board, pursuant to a duly adopted resolution, may require the President to establish procedures under which a comprehensive peer review shall be conducted of all faculty members, both tenured and non-tenured, in an academic program that has been identified as under-performing through an academic program review process. In addition, the President shall establish, with Board approval, procedures for every tenured faculty member at a campus to receive a comprehensive peer review no less often than every six years. The procedures for this periodic review shall provide for appropriate staggering of reviews to avoid excessive administrative burden at any given time.”

This version of the expanded EPPR represents significant progress over two previous versions shared with the University Faculty Council on February 5 and February 10. A sequence of the proposed changes since February 5, 2018 appears at the bottom of this report.

Below are a set of five issues to consider regarding this new draft of the policy:

- **CLEAR DISTINCTION BETWEEN THE DUTIES OF THE BOARD AND ADMINISTRATION:** It appears that this policy honors the principle that distinguishes the policy-making function of the Board of Trustees from that of administrators and faculty in academic and programmatic evaluation. So long as a clear distinction is made in the final policy language, ensuring that the Board of Trustees would not initiate any specific EPPR, the principles embodied in the [Statement on Government of Colleges and Universities](#) (jointly formulated in 1966 by the AAUP, the Association of Governing Boards of Universities and Colleges, and the American Council on Education), which calls for “The governing board of an institution of higher education, while maintaining a general overview, entrusts the conduct of administration to the administrative officers—the president and the deans— and the conduct of teaching and research to the faculty. The board should undertake appropriate self-limitation.” (page 4) can be upheld.
- **FACULTY FACILITATED PEER REVIEWS:** If the Board of Trustees wishes to establish a process requiring “every tenured faculty member at a campus to receive a comprehensive peer review no less often than every six years,” such a system should be conducted by a committee of faculty peers, organized by college or college-based disciplines, and should be built on the annual review documentation already established, encompassing teaching, research and service. This process should stress transparency and accountability for faculty and campus administrators alike. Associate professors participating in promotion reviews should be exempt

from this EPPR process. It is important to note that the UTK Faculty Senate has been working with our campus administration to conduct an [audit](#) to ensure that the criteria for rank articulated in college and department bylaws are discipline specific, while upholding rigorous standards of faculty performance. These criteria for rank, which inform annual evaluations, should inform the peer reviews. Through faculty facilitated peer reviews, it is our hope that this system of periodic EPPR will be focused on faculty development in the vast majority of cases. This could be potentially beneficial to faculty who are both conducting and the subject of the reviews.

- **WHAT IS THE RETURN ON INVESTMENT?** It should be recognized that EPPR, including the newly implemented system, consumes a great deal of faculty and administrative time, directing faculty time and resources away from the core mission of research, teaching and service. While the fiduciary role of the Board of Trustees is recognized, implementing this expanded EPPR policy on whole academic programs (based on program reviews), or all tenured faculty at six-year intervals, would be an extensive service commitment for the faculty. Any expanded EPPR system should be piloted for no more than three years, and then its effectiveness in improved faculty performance determined before the policy is maintained.
- **THE RELATIONSHIP BETWEEN PROGRAM REVIEW AND EPPR NEEDS TO BE CLARIFIED:** Assessment of academic units, and degree programs is already mandated by the State of Tennessee every ten years, and most academic program complete accreditation reviews every 5-10 years. This proposed policy could present challenges to the integrity of program and accreditation reviews if too much emphasis is placed on individual performance rather than broader structural issues such as curriculum, facilities, research, etc. How to distinguish these two objectives, which could be in conflict, needs to be considered when the results of such a program review could trigger an EPPR process for all faculty in that academic unit.
- **ACADEMIC FREEDOM:** It is important that the policy affirms the “importance of tenure in protecting academic freedom and thus promoting the University’s principle mission of discovery and dissemination of truth through teaching, research, and service.” So long as faculty are at the center of the EPPR peer review process, then the policy is potentially workable.

The policy as presented in the February 17 draft is a marked improvement over early drafts. So long as the five issues outlined above can be addressed, this expanded EPPR policy could enhance the faculty review system.

#### **SEQUENCE OF PROPOSED POLICY CHANGES ON EXPANDED EPPR**

##### **Draft: February 5, 2017 (discussed at February 7, 2018 University Faculty Council Meeting)**

“The Board of Trustees reserves the right to direct the administration to conduct an Enhanced Post-Tenure Performance Review of some or all tenured faculty of a campus, college, school, department, or division at any given time or at periodic intervals, as the Board in its discretion deems warranted.”

##### **Draft: February 10, 2018**

"The Board of Trustees reserves the right to direct the administration to conduct an Enhanced Post-Tenure Performance Review of all tenured faculty of a campus, college, school, department, or division at any given time or at periodic intervals, as the Board in its discretion deems warranted. Post-Tenure Performance Reviews should be staggered so that not all tenured faculty at a campus are being reviewed at the same time."

**Draft: February 17, 2018**

“The Board of Trustees recognizes and affirms the importance of tenure in protecting academic freedom and thus promoting the University’s principle mission of discovery and dissemination of truth through teaching, research, and service. The Board also recognizes its fiduciary responsibility to students, parents, and all citizens of Tennessee to ensure that faculty members effectively serve the needs of students and the University throughout their careers. Therefore, in addition to the three circumstances listed above that will trigger an Enhanced Post-Tenure Performance Review of a tenured faculty member, the Board, pursuant to a duly adopted resolution, may require the President to establish procedures under which a comprehensive peer review shall be conducted of all faculty members, both tenured and non-tenured, in an academic program that has been identified as under-performing through an academic program review process. In addition, the President shall establish, with Board approval, procedures for every tenured faculty member at a campus to receive a comprehensive peer review no less often than every six years. The procedures for this periodic review shall provide for appropriate staggering of reviews to avoid excessive administrative burden at any given time.”