

## **Chapter 4A.2 Annual Performance Reviews of Continuing Status and Continuing-Eligible Academic Professional Employees**

This section applies to annual performance reviews of continuing status and continuing-eligible academic professional employees.

Continuing status and continuing-eligible academic professional employees are reviewed with respect to all personnel matters on the basis of excellence in performance. Annual performance reviews are intended:

1. To involve continuing status and continuing-eligible academic professional employees in the evaluation of their performance and professional growth;
2. To recognize and maximize the special talents, capabilities, and achievements of continuing status and continuing-eligible academic professional employees;
3. To provide feedback on performance and accomplishments in the areas of the employee's responsibilities, which may include teaching, inclusive scholarship (UHAP 3.3.02B), and professional service, through the use of peer review;
4. To remediate ratings of "unsatisfactory" in one or more areas of responsibility through specific improvement plans;

Continuing status and continuing-eligible professional employees with an overall annual performance review rating of "meets or exceeds expectations" may be eligible for salary increases and other awards that exist at the unit, college, or University levels.

### **4A.2.01**

#### **4A.2.01a Annual Performance Review Process**

In accordance with University and ABOR policies, each continuing status or continuing-eligible academic professional employee's performance will be reviewed in writing on a scheduled basis at least once every 12 months. This review is designed to assess the employee's annual activity consistent with their unit's annual review criteria, as well as their job description and workload responsibilities.

The evaluation will include peer review on an annual basis for continuing status and continuing-eligible academic professionals in the department, program, or instructional unit and a review by the immediate administrative head. Regardless of peer review method, a Peer Review Committee must oversee the peer review process. The committee will oversee the process and advise the immediate administrative head on any individual reviews that require remediation or other action. The peer reviewers are to be elected unless decided otherwise by the continuing-eligible and continuing status academic professional employees in the unit. The peer review committee deliberations, evaluations, and recommendations are confidential, except that peer review recommendations are shared with the individual being reviewed and the immediate administrative head.

Annual meetings with the immediate administrative head are required for Continuing-eligible academic professional employees in order that they receive written formative feedback on their progress toward continuing status and promotion. A rating of "meets or exceeds expectations" in an annual performance

review does not necessarily indicate successful progress toward continuing status and promotion. Criteria and decisions regarding continuing status and promotion are detailed in Section 4A.3.02B

The following procedures are involved in the annual performance review of continuing-eligible and continuing status academic professional employees. Within these general policies, the immediate administrative head and continuing-eligible and continuing status academic professional employees in the unit will set the schedule and procedures for annual performance reviews.

1. The continuing-eligible or continuing status academic professional employee must provide annual information on all areas identified in their workload. The type and format of the information will be indicated by the Office of the Provost and the unit level annual review criteria. If the individual is engaged in teaching, student evaluation of classroom performance in all classes is required. Periodic peer observation for teaching is recommended as part of the annual review process.
2. The continuing-eligible or continuing status academic professional employee must provide information to the immediate administrative head and identified peer reviewers in a timely manner based on the deadline determined by the unit.
3. Peer reviewers will consider unit criteria and will provide written feedback for continuing-eligible or continuing-status academic professional employees. They will indicate if the individual “meets or exceeds expectations” or is “does not meet expectations” for each workload category, as well as overall. A brief written summary describing the rationale and results of the peer review are transmitted confidentially to the immediate administrative head and the faculty member.
4. The immediate administrative head makes the final decision on the annual review rating based on information provided by the continuing status or continuing-eligible academic professional employee, peer reviewers, students, and such other information as is available, including findings that the academic professional employee has violated codes of professional conduct, as detailed in the Statement on Professional Conduct in UHAP 7.01.01. If the immediate administrative head determines that one or more areas of performance “do not meet expectations”, they will further distinguish by assigning a rating of “needs improvement” or “unsatisfactory.” The immediate administrative head then provides the continuing status or continuing-eligible academic professional employee with their final decision in writing. No in-person meetings are required for individuals who receive a “meets or exceeds expectations” overall rating. In-person meetings are only required for the following:
  - a. Annually for all continuing-eligible academic professional employees, regardless of rating;
  - b. When the rating in any category is “needs improvement” or “unsatisfactory”;
  - c. As requested by the continuing status academic professional employee.

In cases where the performance is “unsatisfactory” in any category, the immediate administrative head and employee must meet within 30 days of the written evaluation date. The discussion at this meeting will include the evaluation of the immediate administrative head as well as that of the Peer Reviewers. As soon as possible after meeting with the immediate administrative head, the employee will receive a final written evaluation. The employee may provide comments and must sign the document and return it to the immediate administrative head within 10 days of the meeting. The final written evaluation is a part of the employee's departmental personnel record.

5. If the continuing status or continuing-eligible academic professional employee disagrees with the evaluation, the employee may appeal within 30 days of receipt of the final written evaluation date as detailed in Section 4A.2.03.
  - a. If the continuing status or continuing-eligible academic professional employee fails to provide annual performance review information to the immediate administrative head for peer review by the deadline established by the immediate administrative head or if they fail to sign the review document, the employee will receive an overall “unsatisfactory” performance rating unless the immediate administrative head determines that good cause exists for an exception. Units will put out the call for annual review information no later than 30 days prior to the deadline.
6. When an individual holds an appointment that involves an administrative assignment less than 1.0FTE, the related duties will be assessed by the individual’s supervising administrator, while the continuing-status duties will be considered through appropriate peer review. The supervisor for the majority of FTE will finalize the review (or the head in the case of an even split), taking peer review into consideration. The final review will be made available to both supervisors.

#### **4.2.02 Annual Performance Review Criteria**

Written evaluation criteria for the annual performance review will be developed by continuing-eligible and continuing status academic employees in the unit, together with the unit head, to document performance expectations for continuing-eligible and continuing status academic professional employees. The criteria will differentiate between performance that “meets or exceeds expectations” or “does not meet expectations.” In cases where the immediate administrative head determines performance “does not meet expectations,” they will further distinguish between “needs improvement” or “unsatisfactory” The stated criteria must align with the mission of the department or unit, the college or division, and the norms of the discipline. These expectations must be approved by the college dean and the Provost.

Criteria for reviews of performance must consider each portion of the continuing status academic professional employee’s workload as described in their job description. Evaluation criteria may provide for recognition of long-term activities and outcomes. Guidelines and evaluation procedures within departments shall be flexible enough to meet the particular objectives of the department without undermining the uniformity of the APR process described herein.

#### **4A.2.03 Appeals of Annual Performance Reviews**

Continuing status and continuing-eligible academic professional employees who disagree with their performance reviews or the outcome of their performance review may appeal their review to the next administrative level, ordinarily the dean of the appropriate college. Such appeals must be made in writing to the next administrative level within 30 days from the date of the written performance review and must state with specificity: (a) the findings to be appealed; (b) the points of disagreement; (c) the facts in support of the appeal; and (d) the corrective action sought.

The administrator reviewing the appeal will consider the facts in support of the appeal and develop any additional facts deemed necessary. The decision on the appeal will be completed in writing within 30 days, with copies provided to the continuing status or continuing-eligible academic professional employee and the immediate administrative head involved in the initial performance review. The

decision is final and not subject to further appeal.

#### **4A.2.04 Unsatisfactory Review Ratings**

Continuing status academic professional employees who receive an annual performance review rating of “unsatisfactory” in any area of responsibility are required to enter one of two processes, either the Academic Professional Development Plan (APDP) or the Performance Improvement Plan (PIP), depending upon the extent of the deficiency or deficiencies.

##### **A. The Faculty Development Plan**

A continuing status academic professional who receives an annual performance review rating of overall “meets or exceeds expectations” but with a rating of “unsatisfactory” in any single area of performance will enter into a APDP at the unit level, except as set forth in section 4A.2.04.b below.

##### **1. Objective and Process**

a. The objective of the APDP is to address an “unsatisfactory” rating in a single area of performance before it becomes sufficiently serious to impair the continuing status academic professional employee's overall performance.

b. Corrective action outlined in the ADPD can involve a plan to improve the performance and/or to redirect the continuing status academic professional employee's work responsibilities to areas of particular strengths.

c. The plan, developed at the unit level in collaboration with the continuing status academic professional employee, may have a maximum of one-year duration and will include appropriate interim monitoring and feedback. The plan should include the following components:

- Describe specific reasons for not meeting expectations;
- Provide a list of reasonable outcomes needed to meet expectations in the future;
- Describe the process to be followed to achieve outcomes;
- Provide the timeline for accomplishing the process, including at least annual or more frequent reviews;
- Describe benchmarks and expectations;
- Describe the criteria to be used in evaluating progress in the APDP;
- Address the resources needed to facilitate the APDP; and
- Describe any alteration in job responsibilities that may be necessary to implement the APDP.

##### **2. Outcomes**

a. Improvement to a level that “meets or exceeds expectations” in the “unsatisfactory” area within one year will make the continuing status academic professional employee eligible for consideration for any awards that become available during that year.

b. If the immediate administrative head and the Peer Review Committee determine in the next evaluative period that sufficient progress in the “unsatisfactory” area has not occurred in one year within the terms of the plan, an “unsatisfactory” rating will be assigned to the continuing status academic professional employee's overall performance for that evaluative period and the Performance Improvement Plan (PIP) process described below will apply.

c. If the continuing status academic professional employee refuses to participate in developing the APDP, an “unsatisfactory” rating will be assigned to their overall performance for that evaluative period and the PIP process described below will apply.

d. The continuing status academic professional employee may appeal a finding that the employee failed to meet the requirements of the APDP. See 4A.2.03 for appeal process and timeline.

## **B. The Performance Improvement Plan**

A continuing status academic professional employee who receives an annual performance review rating of overall “unsatisfactory” will enter directly into the PIP process. A PIP may result from (a) an overall rating of “unsatisfactory”; (b) two or more areas of performance rated as “unsatisfactory”; (c) the continuing status academic professional employee's failure to provide annual performance review information to the immediate administrative head and Peer Review Committee by the established deadline (unless the administrator extends the deadline for providing that information based upon good cause); or (d) the continuing status academic professional employee's failure to achieve a satisfactory outcome in a APDP or failure to participate in the APDP.

### **1. Objective and Process**

The objective of the PIP is to enable the continuing status academic professional employee to resume their place as a fully contributing member of the unit. The continuing status academic professional employee must take responsibility for meeting to develop the PIP and submitting any necessary materials in a timely manner, and for following the PIP once it is developed.

a. Within 30 days of receiving the annual performance review rating or the outcome of an appeal of that review, the continuing status academic professional employee and the immediate administrative head will develop the PIP in consultation with the Peer Review Committee and with approval by the dean.

b. The PIP will specify its anticipated duration and will be implemented as soon as possible after it has been developed but no later than the semester following the overall “unsatisfactory” annual performance review rating. For “unsatisfactory” ratings in any area, the PIP will generally be effective no longer than one year. In those rare circumstances where the nature of the issue cannot be fully remedied in one year, the PIP may extend beyond one year but in no event will a PIP exceed three years in duration. The Provost must approve any PIP that exceeds one year in duration. The PIP will generally:

- Describe specific reasons for not meeting expectations ;
- Provide a list of reasonable outcomes needed to meet expectations in the future;
- Describe the process to be followed to achieve outcomes;
- Provide the timeline for accomplishing the process, including at least annual or more frequent reviews;

- Describe benchmarks and expectations;
- Describe the criteria to be used in evaluating progress in the PIP;
- Address the resources needed to facilitate the PIP; and
- Describe any alteration in job responsibilities that may be necessary to implement the PIP.

c. The college and unit will make reasonable efforts to provide appropriate resources to facilitate the PIP's implementation and success.

d. The continuing status academic professional employee's performance within the context of the PIP will be evaluated as early as possible, but no later than one year after the PIP is put into effect. This special evaluation will be carried out by the immediate administrative head and the Peer Review Committee in place at the time of the evaluation with the "unsatisfactory" rating, and must be approved by the dean.

## **2. Outcomes**

The PIP concludes when any one of the following occurs:

a. The continuing status academic professional employee achieves overall "meets or exceeds expectations" performance as required by the PIP and as documented by the special evaluation and approved by the dean.

b. The continuing status academic professional employee fails to demonstrate adequate progress relative to the PIP's benchmarks and performance goals, which will constitute just cause for dismissal, and result in a recommendation for dismissal, in accordance with ABOR-PM 6-302(G2).

c. The continuing status academic professional employee fails to participate in the PIP process or fails to submit required materials when requested, which will lead to a recommendation for dismissal, in accordance with ABOR-PM 6-302(G2).

### **4A.2.05 Audits and Reporting**

In order to audit the annual performance review process, the dean of each college and an elected committee of continuing status academic professionals convened by the dean will review a sufficient number of continuing status cases each year to ensure that over a maximum of five years every file is reviewed.

Accordingly, every continuing status academic professional employee will have their annual reviews and curriculum vitae reviewed by this elected college-level Peer Review Committee no less than once every five years. The college-level Peer Review Committee will provide a brief write up of progress to the immediate administrative head who will meet in person with the continuing status academic professional employee to discuss feedback. For continuing status academic professionals at the associate rank, particular focus will be provided on feedback on their progress toward promotion.

This dean's-level audit will determine the adequacy, fairness, and integrity of the process. If deemed appropriate as a result of the audit, the dean may refer files back to unit-level peer committees.

The Provost will review the annual review process and the dean's-level audit outcomes, and from that review will report on the number of "meets or exceeds expectations" and "unsatisfactory" ratings of annual reviews, by unit, to the Faculty Senate each year.