University of Colorado
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ADMINISTRATIVE POLICY STATEMENT

Policy Title: Faculty Performance Evaluation

APS Number: 5008 **APS Functional Area:** ACADEMIC/RESEARCH

Brief Description:	This policy provides guidelines for the annual performance evaluation of faculty members.
Effective:	January 1, 2021
Approved by:	President Todd Saliman
Responsible University Officer:	Vice President for Academic Affairs
Responsible Office:	Office of the Vice President for Academic Affairs
Policy Contact:	Office of the Vice President for Academic Affairs, 303-860-5623
Supersedes:	Performance Ratings for Faculty, July 20, 2012
Last Reviewed/Updated:	July 20, 2012
Applies to:	Faculty

Reason for Policy: This policy statement provides the guidelines for annual performance evaluation of faculty.

I. INTRODUCTION

Consistent with regent laws and policies, the performance of faculty members will be evaluated and rated annually. The annual performance evaluation provides the basis for individual annual merit increases. Annual merit increases and other factors are used in setting final compensation. The annual performance rating is the overall summary rating of the individual's annual performance and constitutes the public record of rating, in accordance with the Colorado Open Records Act.

The following administrative policy statement (APS) ensures that the university has a consistent annual performance rating system as a critical component of a process that serves university interests in management and employee development. The policy does not affect discretion that may be exercised by system administration and each campus to adopt specific ways to administer the performance management system contained in this APS.

II. POLICY STATEMENT

A. Faculty members will be evaluated annually and receive an annual performance rating. Individual annual performance evaluations and ratings provide the basis for annual merit increases, although additional factors may be used in setting final compensation. As stated in Regent Policy 5.C.4 – Other Terms and Conditions of Faculty Appointments, a peer evaluation process shall be used at all campuses for annual performance evaluation, with some exceptions at the Anschutz Medical Campus. A faculty member's annual performance shall be evaluated based upon performance standards developed by each academic unit and according to any written expectations agreed to between the faculty member and the unit.

B. To assist in the annual performance evaluation process, faculty members, except those on leave, must provide written evidence of their annual performance, using appropriate format for reporting scholarly and other activities, as prescribed by their campus, college/school or academic unit. Faculty members who fail to provide such evidence will be evaluated as "below expectations." Failure to provide the annual performance report will be viewed as neglect of duty and will be the basis for disciplinary action.

C. The annual performance rating for faculty members will categorize each person's annual performance with a five to one (5-1) point summary rating. The performance rating will be provided on the attached Annual Performance Rating form for Faculty (Appendix A).

1. The rated employee has the right to append a response to the annual performance rating if they so desire.

2. The supervising authority and rated employee will sign the annual performance rating form to acknowledge that the annual rating has been discussed.

3. The supervising authority will retain the original signed annual performance rating form and provide the rated employee a copy of the signed form.

D. The annual performance rating form will be placed in the employee's personnel file and is subject to disclosure under the Colorado Open Records Act. Any written justification for the annual performance rating may also be placed in the personnel file, but it will not be disclosed to anyone other than the employee and university personnel with a demonstrated business need. Human resources offices are responsible for approving such access.

E. Annual performance ratings for annual merit or salary adjustment consideration shall be submitted to the dean in accordance with individual campus-defined submission dates.

F. The justification for the annual performance rating may consist of a numerical, narrative, or other evaluative processes, at the discretion of the campus. Existing evaluation processes, including the Faculty Report of Professional Activities (FRPA), may be used to arrive at the annual performance rating. A description of the annual performance evaluation process and the criteria to be used must be available, in writing, to each faculty member.

G. Article 11 of the Laws of the Regents states, "Consistently *outstanding* or *exceeding expectations* annual merit performance ratings shall not form the sole basis for tenure, as the process leading to award of tenure is a summary evaluation of a faculty member's cumulative performance, a process that is separate and distinct from the annual merit performance evaluation."

H. Performance Improvement Agreement

1. Tenured and tenure-track faculty members who receive an annual performance rating of "below expectations" or "fails to meet expectations" as the result of their annual performance evaluation must participate in developing and implementing a Performance Improvement Agreement (PIA).

2. Faculty members who do not agree with the annual performance rating may request a peer review of their annual performance record using the established primary unit process or a specific written process developed by the unit for this purpose. Subsequently, faculty members who believe the primary unit's evaluation is incorrect may appeal the rating through established grievance procedures in the college/school. This appeal process should be completed within six weeks or less from the date it is initiated by the faculty member, and no action will be taken to begin a PIA until this appeal process, if invoked, is completed.

3. Working with the primary unit head or an appropriate committee of the primary unit (as determined by primary unit policy), the faculty member develops a PIA that includes specific goals, timelines, and benchmarks that will be used to measure progress at periodic intervals. Usually, PIAs will be established for one year, but if research deficiencies warrant longer, the PIA may be set up for two years. The campus administration shall designate an advisor or resource office to provide advice to the faculty member and to the primary unit head/committee on best practices and models for PIAs and appropriate benchmarks. The next annual merit evaluation following the term of the PIA shall address whether the goals of the PIA have been met.

4. If the goals of the PIA have been met, as evidenced in the next annual performance evaluation after the term of the PIA, the faculty member continues in the current review cycle, whether for comprehensive review, tenure, or post-tenure review.

5. If the goals of the PIA have not been met, an extensive review process shall be initiated.

I. Extensive Review

1. Because Extensive Review is designed to assist faculty members who are falling below the level of satisfactory professional performance, it takes place whenever a faculty member establishes a pattern of unsatisfactory performance, as evidenced by two evaluations of performance "below expectations" or “failing to meet expectations” in a five-year period or failure to meet the goals of a PIA.

2. For an Extensive Review, the primary unit examines: (1) the five previous annual performance evaluation reports, or, in the case of a faculty member with fewer than five years at the university, all previous annual performance evaluation reports; (2) the FCQs from those years, peer evaluations, and, if desired, other types of teaching evaluation; (3) evidence of scholarly/creative work and clinical productivity; (4) the faculty member's previous Professional Plan (and any amendments to the plan, as well as differentiated workload agreements, where present); (5) the faculty member's self-evaluation of performance as it relates to the Professional Plan(s); (6) record of leadership and service activities; and (7) any other material the faculty member would like the unit to consider.

3. The primary unit prepares an evaluative report of the faculty member's teaching, scholarly/creative work, clinical activity, and leadership and service based upon its review of the materials and information covering the period in question. If there is disagreement about the faculty member's performance in scholarly/creative work, or if the faculty member under review or the primary unit so requests, the review will also include evaluations from qualified persons external to the university. In this case, the faculty member and the primary unit shall jointly develop a list of external reviewers who will be asked to evaluate the faculty member's performance in scholarly/creative work.

4. Primary units, colleges/schools, and campuses may require other materials for Extensive Reviews, if appropriate, but the aim should be to keep the process efficient and effective.

5. Upon completion of the evaluative report, the faculty member, working with the appropriate primary unit committee, shall write a Development Plan for the next one or two years with specific goals and actions designed to address the areas of deficiency identified in the Extensive Review process. The Development Plan must address the teaching, scholarly/creative work, clinical activities, and leadership and service assignments anticipated during the period of the plan. It must describe performance goals in light of identified deficiencies, strategies for improvement, and the time frame (up to two years) in which the problems are to be solved. Further, the plan must contain definite means of measuring progress in achieving the goals and periodic monitoring of progress. Finally, the Development Plan must be approved by the primary unit head and the dean, following consultation with the appropriate primary unit committee.

6. While the individual faculty member is responsible ultimately for the successful outcome of the Development Plan, the primary unit has an obligation to assist the faculty member who seeks guidance in developing a realistic plan to remedy the identified areas of deficiency. The campus administration shall designate an advisor or resource office to provide advice to the faculty member and to the primary unit on best practices and models for Development Plans and appropriate benchmarks of progress.

7. Assessments of professional competence depend upon peer review. At the conclusion of the Development Plan period, either (1) the faculty and head of the primary unit, or (2) the faculty of the appropriate college personnel review committee assess the progress of the faculty member and forward their conclusions to the dean. After consultation with the dean's review committee, the dean determines whether the faculty member has achieved the goals of the Development Plan and thus has returned their professional performance to meeting expectations. Tenured faculty members who are judged to be meeting expectations begin a new 5-year PTR cycle in the next academic year. Those who are judged not to have achieved professional competence will face sanctions, including the possibility of revocation of tenure and dismissal. Copies of the Extensive Review Development Plan and the primary unit's assessment of the progress achieved by the end of the development period will be added to the faculty member's personnel file.

J. Sanctions

1. Ordinarily, in cases where the Development Plan has not produced the desired results, the faculty member will have their tenure revoked and be dismissed. Under certain circumstances, other sanctions may be imposed. Possible sanctions include: suspension without pay, salary reduction, and demotion in rank.

2. An appropriate faculty committee shall recommend sanctions. The chancellor makes the final determination of sanctions. If the chancellor's decision is to recommend revocation of tenure and dismissal of the faculty member to the Board of Regents, the laws of the regents provide the faculty member with an opportunity for a hearing and set other conditions for handling such cases. (See laws of the regents, Article 5.C.4 – Dismissal for Cause and Policies 5.E – Tenured and Tenure-Track Faculty Dismissal for Cause and 5.G – Faculty Grievance).

3. Revocation of tenure and dismissal for the cause of demonstrable professional incompetence has long been a recognized policy at the University of Colorado and across higher education in the United States.

4. Professional incompetence is defined to mean the failure to perform teaching, scholarly/creative work, and leadership and service duties in a consistent and satisfactory professional manner. A judgment of professional incompetence is based upon peer review of the faculty member's performance. (Other causes for dismissal also exist and are outlined in Article 5.C.4 – Dismissal for Cause of the Laws of the Regents.)

III. RELATED POLICIES AND FORMS

A. Appendix A - Faculty Annual Performance Rating Form

B. Related Regent Laws and Policies
1. Article 5.C.4 – Dismissal for Cause
2. Policy 5.C.4 – Other Terms and Conditions of Faculty Appointments
3. Policy 5.E – Tenured and Tenure-Track Faculty Dismissal for Cause
4. Policy 5.G – Faculty Grievance

IV. HISTORY

- Adopted: July 1, 1989, APS on Performance Ratings for Faculty, Unclassified Staff/Administrators, and Officers.
- Revised: July 1, 1999 - Performance Ratings for Faculty, Officers, and Exempt Professionals; July 20, 2012, this policy statement provides for the use of the revised 5-point performance rating form in 2012-2013 and thereafter. A separate APS on Performance Ratings for Officers and Exempt Professionals became effective April 1, 2009; The term “service” was replaced with the term “leadership and service” effective April 30, 2014 per resolution of the CU Board of Regents; July 1, 2020 - (Updated to reflect Regent-approved changes to Article 5: Faculty. A full review was not completed at this time); December 2, 2021, revised for changes related to the Equal Pay Act and made retroactive to January 1, 2021.
- Last Reviewed: July 20, 2012. (Limited review in 2021 and revisions made related to the Equal Pay Act only)

V. KEY WORDS

CORA, open, records, performance, rating, disclosure, public, evaluation, faculty, scholar, activity, personnel, evaluate, peer, FRPA, report, PIA, improvement, agreement, FCQ, professional, plan, development

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Appendix A

Annual Performance Rating Form for Faculty Members

Evaluation Period (month/year): _____ to _____

Employee Name: _____

Employee ID: _____

Position Number: _____

Title: _____

Department: _____

Rater/ Supervisor Name: _____

The performance of the above-named individual at their current rank or position has been rated as:

- ☐ **5- Outstanding**
- ☐ **4- Exceeding Expectations**
- ☐ **3- Meeting Expectations**
- ☐ **2- Below Expectations**
- ☐ **1- Fails to Meet Expectations**

COMMENTS:

_____

_____

Employee Signature _____ Date _____

_____ _____

Rater/ Supervisor Signature Date

This signature indicates only that the rating has been discussed with the person rated and does not necessarily imply consent. The person rated is to receive a copy of the signed form.