

**Survey of Faculty in Reference to Section 5.90 of the NMSU Policy Manual
Report of the Faculty Affairs Sub-Committee
NMSU Faculty Senate**

May 4, 2015

Introduction

The Faculty Affairs sub-committee of the NMSU Faculty Senate was tasked with conducting the mandated three-year review of section 5.90 of the NMSU Policy Manual. Members of Faculty Affairs are listed in Table 1A in the Appendix. Section 5.90 outlines the policies and procedures governing all aspects of faculty promotion and tenure. The NMSU Policy Manual can be viewed at: <http://manual.nmsu.edu/current-nmsu-policies/>. (Note section 5.90 encompasses Pp. 235-279 of the most recent revision as modified by the Board of Regents on 05.09.14).

Faculty Affairs coordinated with the Office of Institutional Analysis (OIA) to conduct an Internet survey presented to all NMSU faculty members from the main campus, all community colleges, and extension services. From March 19-April 10, 2015 faculty were asked to comment on section 5.90 indicating what, in their opinion, is deserving of revision, if anything. The survey asked faculty to articulate the rationale informing their comments and provide suggestions for specific changes. A total of 38 faculty members submitted comments. These responses are contained in Table 2A in the Appendix.

After the conclusion of the survey, OIA removed all identifying information to ensure responses were confidential and anonymous. The data, absent identifying information, were then forwarded to Faculty Affairs for analysis and summation. This report identifies reoccurring themes deemed significant across multiple respondents and is intended to serve as the evidentiary basis for future dialogue and debate in regards to proposed revisions of section 5.90, if any. Faculty Affairs endeavored to summarize and articulate those areas of repeated concern expressed within the data with the intention this information may inform deliberation as to more specific recommended changes.

Note the themes that follow are, in general, presented in descending order of prominence as expressed in the data. All page numbers referenced refer to pages within chapter 5, wherein section 5.90 is situated, and not the overall pagination of the NMSU Policy Manual, referenced above. It should be noted a number of respondents indicated they did not see the need for substantive changes to section 5.90 or indeed any changes at all. Others, however, did express concern in regards to at least 10 areas. These areas are summarized below.

Results and Discussion

1) *External Letters* (see respondent comments: 4, 12, 14, 29, and 31)

A prominent concern is the need for greater specificity in regards to who is eligible to serve as an external reviewer. Such specificity would ostensibly encompass restrictions on former mentors, research collaborators, and students from serving as an external reviewer as well as individuals

who do not hold a rank equivalent to that which a candidate is applying. Second, a further concern involves the latitude of department committees to derive a list of external reviewers independent of a candidate's input; noting section 5.90 does not preclude a candidate from serving as the sole source of proposed external reviewers. Third, concern is expressed as to allowing a candidate to view their external letters with the identifying information. Such practice, it is noted, may be non-normative relative to peer institutions and, regardless, potentially undermines the integrity of the external review process itself as reviewers may alter their evaluations, as they are aware their identity is accessible to the candidate.

Note section 5.90.5.4.Z.5c (Pp. 58) in stipulating the "common elements" included in the principal units' promotion and tenure policy--instructions to outside reviewers--states, "Notification that the candidate will have an opportunity to read the letter of assessment" (Pp. 58). It is unclear, however, if current policy guarantees a candidate access to the identity of external reviewers in tandem with their respective letters of review, and indeed some departments redact identifying information while allowing a candidate access to their external review letters.

Section 5.90.5.3.A4 in stipulating the roles and responsibilities of the candidate during the promotion and tenure process states, "Provides the department head with a written list of potential outside references from which letters of evaluation may be requested" (Pp. 53). Current policy, in turn, allows wide discretion to principal units' in formulating more specific instructions in terms of external review letters.

2) *Collegiality* (see respondent comments: 4, 12, 13, and 32)

Collegiality and civility is a focus of concern, and respondents generally stress it should be articulated when, if ever, it is a valid consideration in promotion and tenure evaluation. Several respondents (#12, #32) argue the inherently subjective nature of such assessment suggests it should not be considered in formulating P&T decisions; although if civility is to be considered it should include input from a number of individuals to preclude undue influence by any one person (see respondent #32).

Note section 5.90 does not include any discussion of collegiality.

3) *Allocation of Effort* (see respondent comments: 4, 7, 13, 30, 31, 36, and 37)

There is ambiguity as to the manner whereby the annual allocation of effort (AOE) statement informs the promotion and tenure process and/or decision. It is unclear, beyond utilization of the AOE statement in annual performance reports, how it is connected to P&T, per se. Second, faculty ostensibly do more varied activities than is allowed for on the AOE statement. One consideration is a form summarizing the overall, cumulative allocation of effort in various areas for the entire period being considered up to the candidate's application for promotion and tenure. This form would then be evaluated by the departmental P&T committee as well as included in a candidate's promotion and tenure materials forwarded to the college.¹

Note section 5.90.3.4 (Pp. 42-43) addresses allocation of effort. This section is explicit allocation of effort designation is intended to further "fairness despite variance in duties" as it concerns the

¹ Note this consideration was not proposed by any of the 38 respondents but derived by Faculty Affairs.

promotion and tenure process. The allocation of effort statement is again addressed in section 5.90.5.1.2A (Pp. 52) under the performance evaluation forms for principal units.

4) *Associate Deans/Department Heads* (see respondent comments: 3, 4, 6, 10, 12, and 24)
Numerous respondents expressed concern as to associate deans and/or department heads exhibiting an undue and unwarranted influence on promotion and tenure decisions; thus ostensibly ignoring written policy by introducing idiosyncratic personal and/or political considerations into P&T evaluation. Such unwarranted influence, several respondents suggest, is unlikely to abate absent repercussions against such activities from more senior administration. As it concerns department heads, potential undue influence centers on that directed at the department P&T committee.

Second, consternation was expressed in terms of the lack of confidentiality of promotion and tenure evaluation at the departmental and college levels. This ostensibly points to broader issues related to ensuring the integrity of the promotion and tenure evaluation process, as well as the absence of accountability therein.

Section 5.90 does not discuss adjudication by senior administration as it concerns the failure of associate deans and/or department heads to follow established policy. Further, there is no guidance in reference to failure of associate deans/department heads to maintain the confidentiality of P&T evaluations.

5) *Role of Leadership* (see respondent comments: 13, 19, 27, and 30)
The role of leadership as factor that may be considered in promotion and tenure needs clarification; especially as it relates to promotion to the rank of full professor wherein “institutional leadership” is requested (Pp. 44; see section 5.90.3.5E). Accordingly, respondents raised questions as to whether leadership should be a category unto itself on the annual AOE statement. Of note, respondent #13 suggests absent categorical distinction on the allocation of effort form there is little incentive for faculty to engage in administrative leadership, and faculty who do engage in such leadership may find it difficult to be subsequently promoted to full professor. Respondent #19, however, observes the role of leadership is more complicated for faculty at the community colleges as their teaching load is greater.

Note section 5.90.4.5 (Pp. 51) stipulates leadership may be considered in promotion and tenure, and different types of leadership are implied but not specified. In turn, whether different types of leadership are recognized in section 5.90 is ostensibly unclear. Such implied leadership activities include: scholarly, disciplinary, university, college, department, mentoring of junior faculty, and teaching.

6) *Timeline and/or Process of P&T Application* (see respondent comments: 1, 9, 26, 28, 31, 36, and 38)

A number of respondents expressed concern the timeline and process of application for promotion and tenure was unclear and/or constantly shifting. Better guidance in regards to the specific documents to be submitted and the timeline for their submission was stressed. A related concern involves the need for clarity as to when an untenured faculty member should declare which of successive departmental P&T documents they wish to be evaluated under. Lacking

such clarity, respondent #26 notes, faculty may indeed undergo promotion and tenure evaluation relative to a department functions and criteria document different from that which informed a majority of their annual performance reports.

Note section 5.90.5.5 (Pp. 58-59) outlines the core documents to be included in a candidate's P&T portfolio. Instructions on supplementary materials are addressed in section 5.90.5.5.1 (Pp. 59). The constituent colleges and departments provide their own guidelines in accordance with these sections. The university timeline for promotion and tenure is outlined in section 5.90.5.9 (Pp. 60-62). This section serves as "suggested guidelines" (Pp. 60), but each college determines its own timeline whereby faculty proceeds through the promotion and tenure process.

7) *Post-Tenure Review* (see respondent comments: 20 and 35)

Concern was expressed the post-tenure review process needs to be clarified and/or reformulated to more efficiently deal with under-performing, tenured faculty. Respondent #20 suggests such concerns apply in particular to full professors who have not published for some time but nonetheless sit on departmental P&T committees and evaluate the scholarship of P&T candidates.

Note section 5.87 (Pp. 37) addresses post-tenure review in-depth, but section 5.90 offers little elaboration except instructing principal units to include as a "common element" within their promotion and tenure policy a statement regarding post-tenure review, that is in accordance with section 5.87 (see Pp. 58; section 5.90.5.4BB).

8) *Prior Service* (see respondent comments: 9, 26, and 28)

Several respondents suggest the procedures for documenting prior service--at the time of hire--need greater clarification and/or elaboration so that prior service is accounted for at the time of application for promotion and tenure. As respondent #26 notes, documentation should be established and note exactly what from the candidate's experience at a prior institution is applicable to their P&T candidacy at NMSU.

Section 5.90.3.6.1 (Pp. 44-45) addresses credit for prior service. Within this section it is stipulated the details of prior service should be outlined in the appointment letter.

9) *Distinction between Service and Scholarship* (see respondent comments: 12, 26, and 31)

The distinctions between service and scholarship need clarification. Respondent #26, for example, raises the question as to whether maintenance of a lab constitutes service or scholarship. In regards to such distinctions, respondent #12 argues it should be clarified that administrative duties should not count as scholarly activity in the application for promotion and tenure. Respondent #31, of note, suggests faculty mentorship should be recognized as an explicit dimension of service.

Note section 5.90.2 "Glossary" (Pp. 40-41) defines scholarship but does not define service. The distinctions between variant areas of activity are primarily addressed in section 5.90.4 "Criteria for Promotion and Tenure" (Pp. 48-51). Scholarship and creative activity are discussed at length in this section (5.90.4.2), but the discussion in regards to service (5.90.4.4) is comparatively brief.

10) Evaluation of Teaching Effectiveness (see respondent comments: 11, 22, 27, and 31)

A number of respondents highlighted their concerns regarding the need for more specific guidelines in terms of the documentation of teaching effectiveness. Respondent #31, however, suggests it should be left up to individual faculty members to choose which forms of evidence best illustrate their teaching activities and consequent effectiveness.

Section 5.90.4.1.1 “Evaluation of Teaching” (Pp. 49) identifies four forms of evidence whereby teaching effectiveness is to be assessed and demonstrated. These include: evidence from the instructor, evidence from other professionals, evidence derived from students, and evidence of student learning. Detailed examples of the foregoing are not provided as this section further instructs each principal unit to create clear guidelines that both define teaching responsibilities and the forms of evidence necessary to document teaching effectiveness. The evaluation of teaching effectiveness, in turn, is not discussed at length or in specific terms in section 5.90 but primarily left to the discretion of the principal units to formulate.

APPENDIX

Table 1A. Members of the Faculty Affairs Sub-Committee of the NMSU Faculty Senate

James Rice, Chair
Laurie Abbott
Paul Andersen
David Barney
Joseph Berning
Claudia Billings
Margaret Bock
Hong Huang
Del Jimenez
Keith Mandebach
Carlo Mora
Patrick Morandi
Igor Vasiliev

Table 2A. Comments of the Survey Respondents

Respondent #	Faculty Promotion and Tenure: Please provide any comments you wish to share about Section 5.90
1.	Each department in my college has a different PNT policy this leads to inequities between departments also the policy in our department changes every other year this means that people coming in face different rules and standards than the people that are in the year before
2.	Any changes to the promotion and tenure process should not be implemented until one full cycle after the change has been approved. That keeps faculty from being penalized for changes made shortly prior to the date for notebooks to be turned in.
3.	The elements of 5.90 are acceptable on their face, but senior administrators need to take it serious when deans and department heads ignore written policies in favor of whatever personal or political agendas they honor instead. I have personally experienced an Associate Dean tell me, in the face of policy marked "guiding principles" that "we don't always follow that directive". The policies are one thing, getting the middle level administrators to follow is the real concern. So far reporting to administration when this sort of thing occurs has been in vain.
4.	As someone involved in the writing and adoption of the university faculty promotion and tenure policy, I have been very pleased that the policy seems to be working and improving the P&T experiences of faculty. I have also been pleasantly surprised by the consistent support of the policy by the succession of provosts in the last 10 years. The flexibility of the policy and refusal to legislate when there was no agreement has certainly helped. No policy is perfect, and there are some areas that have been particularly problematic. Among these are the policy on external review letters, which needs some more specifics in either or both university or college policies. The definition of extension and outreach needs consideration, along with the question of whether we want to keep this as a primary category. There are questions about the allocation of effort and how that feeds into evaluations, annual and P&T. I occasionally hear about violations of university policy or even college or department policies. The Deans and the EVPP need to do their jobs, which is to know and approve the policies. The question of civility as a category keeps being raised by both faculty and administrators. That is a start.
5.	One problem that is not addressed in the promotion and policy guidelines is salary compression. If a person is good and moves through the ranks quickly then we have no merit or cost of living increases there salary becomes compressed to the point that a person with less service time can be promoted and receives a higher salary than a long time faculty member. I know of a faculty member who was promoted to full professor 12 years ago and has 25+ years of service and make less than a recent hire who is an Associate Professor, and when that person is promoted this year longer service will make even less. We need a step grade system with in rank like all the public school district and federal government have to prevent this.
6.	Unfortunately, the biggest problem with the section is that it does not provide

	<p>consequences if college administrator's do not follow the policy. Not following the policy is a problem with the process. Many administrator's refer to it as guidelines which is not the same as policy. If there were a statement about consequences for administrators that do not follow NMSU policy regarding promotion and tenure, and their own stated policies for their colleges and departments, I think that could go along way to smooth the process and ensure faculty are treated fairly.</p>
7.	<p>I am currently on a Promotion and Tenure committee and have therefore worked with the policy over the past several years. It is very well written and I do not see any need for change. My concern is that there is currently an attempt to change the Allocation of Effort statement due to concerns by NMSU legal. I am against this, and would like to see all parts of the current policy remain as they are.</p>
8.	<p>None</p>
9.	<p>Under 5.90.3.6.1 Credit for Prior Service This section identifies prior service, but does not provide a process/procedure for documentation of that prior service. This may seem a moot point, but we have tenure track faculty members hired and “given credit” for prior teaching experience only to have that experience ignored or discarded because it was not properly documented by DACC administration at the “time of hire.” It may be in the employee’s personnel file, but because it was not through whatever nebulous process exists, that is apparently not being accepted by the DACC College P&T Committee. Clarification is needed and a specific process needs to be implemented to insure that proper documentation occurs and survives in such a manner to be effectively applied in the promotion and tenure process. Under 5.90.5.5 Portfolio Preparation – the policy states: “In accordance with department and college guidelines, the candidate is responsible for submitting a promotion and tenure portfolio comprised of a core document and documentation file. The college guidelines shall specify the inclusion of the following core document elements in this order. The combination of items 4-6 shall not exceed 50 pages” The list then becomes alpha based and the items 4 through 6 are not identified under this section. Specificity is needed as this has been applied in a variety of ways by the DACC College P&T Committee to limit total core portfolio and documentation file size. Each year the number seems to vary and under its current iteration DACC is limiting documents included outside of the “required number” to a grand total of 25 per notebook. I believe this is out of bounds in relation to this policy and 5.90.5.5.1 Documentation File. Under 5.90.5.4 Common Elements to be included in the principal units’ promotion and tenure policy – the policy states: “I. Definition of eligibility for serving on the promotion and tenure committees. Only tenured faculty members are eligible to vote for tenure and promotion. College-track faculty who serve on the college committee are eligible to vote on promotion of college-track faculty. In instances of promotion, committee members must hold a rank at least equal to the rank for which the candidate is applying.” This has occurred in the DACC environment and there needs to be an objective procedure within the NMSU Policy determining how “alternates” with appropriate rank are gathered and</p>

	temporarily empowered to complete the assessment of promotion notebooks. Additionally oversight of such a temporary (ad-hoc) committee needs clarification.
10.	It should be made clear, here or in some other section of policy, that associate deans are not allowed to participate in the proceedings of faculty affairs. This has become common in the College of Arts and Sciences, and is entirely inappropriate. Hopefully there is a way to stipulate that they cannot be present at faculty affairs decisions about P and T.
11.	Question: Does the "should" imply "must," and the "and" mean all 4 must be submitted? 5.90.4.1.1 Evaluation of Teaching A. Evidence By Which Teaching Effectiveness is Assessed: . . . Materials appropriate for evaluating teaching should include: (a) evidence from the instructor, (b) evidence from other professionals, (c) evidence from students, and (d) evidence of student learning.
12.	1. It should be clarified that fulfilling the duties of an administrative position (i.e., Department/Unit Head or higher) does NOT qualify as undertaking "scholarly activities" and cannot be used for promotion justification. 2. Although "colleagiality" is an important component in the evaluation/recommendation of a candidate for tenure or promotion, this is a totally subjective parameter and cannot be objectively documented. As such, the policy must clearly indicate "colleagiality" can NOT be used as an official component in tenure and promotion evaluations/recommendations. 3. It should be stated, within University policy, that College/unit administrators (e.g., Deans or Associate/Assistant Deans) can not be present during discussions of applications by the respective promotion and tenure committee. Similarly, Department Heads can not be present during application discussions at the Department or unit level. 4. It should be emphasized that the recommendation of each promotion and tenure committee (e.g., Department, College, etc.) MUST be completely independent of the recommendation provided by the corresponding administrator. Specifically, the administrator can not use the committee recommendation nor reference their recommendation within their administrator recommendation. 5. The source and number of external letters of recommendation must be clarified to exclude mentors (past and present), collaborators (e.g., co-PIs on proposals or co-authors on manuscripts/publications), students (past and present), and individuals who do not presently hold the academic rank to which the applicant is applying (i.e., an assistant Professor cannot be used as an external reviewer for someone applying for promotion to Associate Professor or [full] Professor).
13.	5.90.3.6.2 In all cases in this section when a request is made in writing for an extension of the probationary period, it is unclear if that request needs approval and, if so, by whom. Especially in G., it is unclear who negotiates "Other": the department head, the P&T Committee, the dean, ??? 5.90.3.8.3 A (Criteria for Promotion) lists Service twice and should only list it once. 5.90.5.1.2 In 3.a. I would like to recommend the addition of Leadership. Since it is already mentioned in the policy manual in 5.90.4.5 and 5.90.4.51 as a factor that can be evaluated, not having an allocation of effort for it seems problematic. On one

	<p>hand, we are supposed to think of it like “extra credit”—you don’t have to do it if you don’t want to. On the other hand, for ranks such as Full Professor and even in unit decisions concerning promotion, we are constantly looking for leadership. Without an Allocation of Effort, an associate professor has no motivation whatsoever to become a department head because the university won’t officially recognize their administrative responsibilities. This is especially true for faculty who have taken on leadership positions in service to the university (such as Associate Deans) but cannot be promoted because their jobs are largely administrative. I think there should be some kind of general statement about collegiality and where, if anywhere, it is expected to be discussed, evaluated or assessed.</p>
14.	<p>The timeline for tenure decisions should be reconsidered to bring it in line with the timelines that the departments are actually using. Our department requires the full packet to be submitted in August. Another concern is over whether the faculty member can look at the outside letters. Our department will only show redacted letters if requested in writing and only during an appeal. I would like to see those points considered so that the Policy Manual is either purposely vague or provides for differences between department actions.</p>
15.	<p>As a tenure-track faculty, I find the policy and documentation to be rather straightforward. That being said, I have to say that I don't feel that I understand the entire process well enough to offer informed critique. Perhaps after completing the process of application (and hopeful awarding) of tenure, the experience would offer me greater insight as far as any suggestions.</p>
16.	<p>College Faculty vs. Tenure Track: College faculty P&T procedures and process needs to be looked at closely. There is no real process except create a binder then submit to the dean for promotion review. There is no peer review process.</p>
17.	<p>5.90.2 Glossary- Under the definition of Documentation File, please remove the words "as well as annual evaluation" from the 2nd to last sentence. That erroneous inclusion has caused misinterpretation of the difference between Annual Notebooks and Promotion or Tenure Portfolios,</p>
18.	<p>Section 5.90 deals with the P&T process in a systematic and thorough fashion. I see no need for changes.</p>
19.	<p>For Community Colleges, the category of "Leadership" is problematic since the bulk of our time is (and should be) spent on teaching. Not all great leaders can be good teachers and not all great teachers can be good leaders. In fact, the CC's should have an independent P/T process separate from the confines of NMSU since CC's have a completely different mission than research universities. The CC's are stuck with trying to put round pegs into square holes when it comes to assessing our own "worth". One can not expect to teach 5-6 classes per semester and STILL commit to the same level of additional institutional work as a university professor who may teach 3-4 classes PER YEAR (with graduate assistants). The CC's should be free to model a P/T process after other top COMMUNITY COLLEGES and stop trying to replicate a 4-year university process. It just doesn't work.</p>
20.	<p>The biggest issue with tenure at NMSU is that colleges do not have standards for continued performance for full professors who serve on college and</p>

	<p>departmental committees. As a result non productive professors who have not published, attended conferences or presented papers and thus are not qualified to evaluate scholarship evaluate those up for promotion. While the graduate school requires currency in scholarship, the tenure process does not. Scholarship has changed dramatically in the past ten years with the advent of online and open access journals, survey platforms like the one I am writing this survey on and the internationalization of research. The academic deans and department heads continue to tolerate the non productive professors who often criticize what they do not understand. I have personally been on the receiving end of this inappropriate behavior and was able to get through it but it was very stressful and unfair. The academic dean was aware and advised me to keep my mouth shut and jump through the hoops. Which I did. But others I know have not been as fortunate. I looked through the policy and it appears that once you are promoted, you are qualified even if you have stopped performing. The entire document should be digitalized and utilize digital measures. Maybe the deadwood professors who don't know how to use it would give up and get out of the evaluation process.</p>
21.	<p>In my opinion the description of 5.90.3.6.3 Reduction of the Probationary Period item C is not clear. It has no clarity on to whom such appeal is to be made. Would the request need to be submitted in the Spring Tenure committee meeting? or To head of the department? or to the Dean? Lack of such clarity has left all parties involved in confusion regarding the procedure.</p>
22.	<p>I think the NMSU tenure policy is reasonable. I would like to see a more defined -Evaluation of teaching (5.90.4.1.1.B.) Specifically, in the last section it isn't clear if one needs to have an example of all of these or one or two. I know this is confusing for many faculty.</p>
23.	<p>No revisions are necessary.</p>
24.	<p>I have ceased all participation in P&T decisions and processes in my department and college. I am a tenured full professor with many decades of service to NMSU. The last three years procedures have been blatantly disregarded at all levels, up to and including the President's office. I have personally suffered serious consequences for my participation in these processes in the form of retribution. Issues of confidentiality have been rampant. Things stated in meetings are known by people off-campus who can cite things said by individuals, accurately described, early the next morning in a local gym. Upper administration ignores such breaches, and indeed is regularly the source of the violations of policy that have been so out of control for the last three years or more. What the policy says is irrelevant. It's what's done in Hadley Hall that has to be fixed.</p>
25.	<p>This seems fair as written.</p>
26.	<p>5.90.3.6.1 Credit for Prior Service This should be clarified to explain what, exactly, from the previous institution, should "count" towards the tenure decision. Maybe this is still best left to the department F&C document? For example, if a department requires a certain number of publications, do the publications from the previous institution qualify? 5.90.3.6.2 Extension of the Probationary Period D. Family Leave I guess there was a lawsuit about this? I</p>

would recommend that the wording be changed. Any birth during the probationary period could cause delays. Thus, instead of saying “who become parents”, this should be changed to include faculty members who have any children after their first child. For example, someone who is hired and who has one child is already a parent. A strict interpretation of this clause could be used to deny and extension to someone who has their 2nd child because they didn’t “become parents” as they were already parents. Change it to something more specific about giving birth etc. I assume this applies to both father and mother right?

5.90.4.4 Service I would like to see some guidance on what constitutes “Service” vs. “Scholarship” with regards to faculty members who manage labs that involve outside users or students outside the faculty member’s research group. For example, if a faculty member helps a faculty member (or graduate student from another institution) acquire data in his/her lab, is that service? What if the faculty member is subsequently listed as a coauthor on the publications that result? Can this be construed as double-dipping? Is “maintenance” of a lab considered department/university service, if said maintenance is necessary to conduct the faculty member’s research? I would like this to be addressed.

5.90.5.2 B: Requirement for Departmental Promotion and Tenure Policy: Should this be reworded to “Functions and Criteria Statement”?

5.90.5.4 E: The F&C document must be reviewed every three years. Thus it is likely that pre-tenure faculty will be able to choose either the policy under which they were hired, or the new one. The manual should be changed to indicate WHEN the faculty member must choose which policy under which they wish to be reviewed. The manual currently does not say when this decision must be made. My opinion is that the faculty member should decide as soon as possible. The departmental P&T committee is evaluating the candidate based on the current document. If the faculty member decides 3 years later he/she wishes to be evaluated based on a different document, there is then a track record of evaluations on the “wrong” document. Thus, the faculty member could have multiple “poor” evaluations and then decide to use a different document later. Alternatively, the faculty member could have numerous “good” evaluations and then for some reason decide to pick a different F&C document when coming up for tenure. In either case, the timing of this decision should be put into the manual. I would like to see something where the faculty member is evaluated on the most recent document unless it substantially changes in the last two years of the period. However, I understand there might be legal issues that need to be resolved. Similarly, what about Associate Professors coming up for promotion to Full Professor? The document could have changed during the first year after their promotion, then they could go 10 years under the new document, and choose the old one? The Provost I believe has already indicated that Associate Professors must be evaluated on the most recent document. However, this really needs to be put into writing in the document. In summary: We want the annual P&T evaluations of faculty to be consistent with the P&T evaluation that is in effect when the faculty member wishes to come up for Promotion. By having faculty members choose early, then this process will be more consistent.

27.	Section 5.90.4.5. on Leadership. This is a poorly constructed sentence that introduces quite a bit of confusion. Must evidence for leadership be through scholarly and creative activity alone? What exactly is the role of administrative duties? Can one provide leadership in other areas, such as teaching?
28.	The application process is somewhat confusing, that is, when does / can faculty actually apply for promote or tenure. No clear year is stated and confuses other folks responsible for recommending promotion, etc. The committee should consider stating a specific "years in service" required prior to applying for either promotion/tenure.
29.	5.90.5.3 . Paragraph 4 states that the candidate..Provides the department head with a written list of potential outside references from which letters of evaluation may be requested. I don't see any other information about potential outside references in 5.90. In my department the practice has been the candidate submits names, of which a subset might be chosen, and the committee comes up with other names. Thus there is a source of potential references independent of the candidate. This is not required by 5.90 as far as I can see. 5.90.5.4 paragraph Z seems to imply that this is left up to departments. The current A&S policy does "allow" for selection of external reviewers other than those submitted by the candidate. In summary, there is nothing in 5.90.4 preventing the candidate from being the sole source of names of potential referees. If this is intentional then fine, but otherwise it should be addressed. 5.90.5.4 paragraph Z .5.c also mentions that potential outside referees are to be notified that the candidate will have an opportunity to read the letter of assessment. I've received (as a dept head) the full gamut of responses to this: lame excuses not to write, an inquiry to the effect,"are you serious" and an explicit statement in the letter describing the practice as "unusual." It seems impossible to get a letter pointing out any perceived flaws in a candidate with this constraint, and consequently undermines the integrity of a positive evaluation.
30.	The allocation of effort statement is a nightmare for faculty to work with. This problem arises from the fact that no one really understands how to use the "Revision" element. Furthermore, many faculty do far more than what is listed on the allocation form. At the community college, Leadership is an element and its difficult to define this and our supervisors manipulate this element in a way that is not always fair or helpful for promotion. I think supervisors (what ever their respective title at each campus) should be better trained on how to use the allocation of effort form: in other words, they need to be normed. Otherwise, we would go back to an annual plan and ditch the damn form altogether.
31.	Consistency of wording is problematic in the document and in colleges/departments which is confusing to untenured faculty: "5.90.3.3 Performance Evaluation "The annual performance evaluation..." Suggestion: Name things consistently (e.g. put Annual in the heading title here) and encourage colleges and departments to use names as in the manual. For example, the annual performance evaluation is frequently called the Annual Performance Review or "APR" in some departments/colleges. If something is commonly known by another name, put that name beside the official one (e.g. "aka Annual Performance Review (APR)") "5.90.3.4 Allocation of Effort"

Suggestion: It is unclear what the purpose of this section is and how a faculty member is supposed to use the information here to guide his/her efforts. It would be better to make this section shorter and indicate what artifacts (e.g. "Allocation of effort statement" aka "Goals statement") are to be prepared and how, to illustrate a faculty member's allocation of effort and what role this statement plays in the faculty member's annual evaluation and P&T evaluation.

"5.90.3.7 Mid-Probationary Review" Suggestion: It is unclear how this process is undertaken. It appears to be an internal review, conducted to provide an untenured faculty member with the sense of where they would stand if the P&T review were to be conducted at that time, however, if one follows the full guidelines as directed, you need to secure external review letters which is a burden on faculty from other institutions. Clarity needs to be provided regarding how this process and the documents included in it are similar and distinct from the formal P&T process.

"5.90.4.1.1 Evaluation of Teaching A. Evidence By Which Teaching Effectiveness is Assessed:" "... Therefore, several forms of evidence should be used to assess comprehensively teaching effectiveness." Suggestion: Clarification and moderation should be set here since each year faculty are unnecessarily burdened year after year with having to "prove" that they're doing their job in the classroom, and there is little reward or recognition provided for their labors in the classroom or in documenting their efforts and outcomes. First, it should be clearly stated that in light of a faculty member's academic freedom, the individual faculty member should be allowed to decide what form(s) of evidence best represents his/her teaching

ability in each class. Second, faculty should NOT be burdened with providing multiple forms of evidence for each class they teach, rather should provide at least two forms of evidence overall as evidence of their effectiveness. So, some faculty members may prefer to provide student evaluations for all of their courses plus one other item (e.g. peer review) for one course. You might even allow faculty to provide at least two forms of evidence of teaching per semester. That way, rather than detailing their efforts for each of their classes, faculty can choose which course(s)/artifact(s) best represent their teaching efforts for each semester. "... Each form of evidence should carry a weight appropriate to its importance in evaluating teaching." Suggestion: This sentence is too vague to add anything of value and trying to clarify it would only add to the confusion of what is and isn't evidence of good teaching. This statement should be eliminated.

"5.90.4.2.1 Evaluation of Scholarship and Creative Activity F. The activity and outcomes are judged meritorious and significant by one's peers." Suggestion: Some statement should be made indicating that each unit (college/department) should clearly define who "one's peers" are. Peer-reviews are somewhat easy to define in reference to publications, but less clear in the case of plays, public speaker series, exhibitions, art installations, videos, recitals, etc. If there is a hierarchy in terms of the public to which items are

displayed, that should be clearly delineated so that people outside of the field of expertise of the scholar can evaluate the work accordingly. “5.90.4.3.1 Evaluation of Extension and Outreach “B. Evaluation Guidelines: “2. The documentation should provide evidence that the work is:” Suggestion: I would suggest adding “...fulfilling one or more of the following goals” after “the work is” As it stands it appears that you have to meet all four criteria which may be burdensome for tenure-track faculty, since outreach gets rather short-shrift in evaluations of tenure-track faculty outside of those who are in extension. “b. validated by peers;” Suggestion: Same comment as mentioned previously about the need to define who one’s peers are. “5.90.5.1.1 Performance evaluation policies in the principal units shall include the following elements: “A. A statement that Performance Evaluations are conducted annually.” Suggestion: This statement should include dates of what documents should be turned in on roughly what timeline and should cover what timeframe. Our college has been changing the timing of turning in documents and timeframe over which faculty are to be evaluated so frequently that it is confusing and different departments are using different dates and requesting a variety of documents from untenured faculty. In the interest of clarity and transparency, these notions should be set in policy, not changed on a whim and communicated via memos or e-mails. Having served on many P&T committees, I’ve seen diverse interpretations of what’s presented and what procedures are followed in evaluation. Regarding documentation, my suggestion would be to indicate in policy that candidates should prepare (and simply update each year) and submit to the P&T committee for annual review the portfolio and documentation file, noting that some of the departmental prepared items should obviously not be included until the faculty member is going up for P&T. Providing this level of guidance in the policy manual would provide consistency from unit to unit regarding what’s expected of untenured faculty and allow them to build their file over time rather than put it together just before going up for P&T. There is confusion about vote counts and it is interpreted inconsistently because of the statement in the last excerpt. “5.90.5.4 Common Elements to be included in the principal units’ promotion and tenure policy “P. A method for surveying the committees’ recommendations regarding each candidate(s) via secret written ballot. Voting must be in person. Absentia and proxy ballots are not permitted. All vote counts must be recorded. “Q. A method for the principal units’ promotion and tenure committees to submit a letter summarizing its recommendations and the numerical vote count on each candidate to the department head and college dean or comparable administrator. The recommendation must: “R. A method for informing each candidate in writing of the principal units’ recommendations and numerical vote count, the department head’s letter, and/or the dean’s or comparable administrator’s letter. “5.90.5.5 Portfolio Preparation “C. Any written documentation generated throughout the promotion and tenure process, including the numerical vote counts of the promotion and tenure committee(s). “G. Annual performance evaluations for the period under review, including the allocation of effort statements, the goals and objectives forms, written

	<p>statements submitted by the faculty member as a part of the annual performance evaluations, the supervisor's written comments, and any response made by the candidate to the supervisor's written comments. Numerical rankings, ratings, or vote counts should be removed. (See also 5.90.3.3 Performance Evaluations and 5.90.5.1 Performance Evaluations.) Suggestion: Most policy statements state vote counts are required. The only one where it says they should be removed is in 5.90.5.5.G. However, in that particular statement, it appears that the notion of vote counts is inapplicable since it refers to the supervisor's letter where no vote is necessary, taken or needs recording. My suggestion, to maintain consistency, would be to simply eliminate the reference to vote counts being removed in 5.90.5.5.G. Suggestion of section needing to be added: What I'm not seeing in the policy manual is a statement on commitment to faculty mentorship. This should be included in either the service or leadership areas. There should be a statement regarding NMSU's commitment to providing new and seasoned faculty to develop personal and professional skills through the mentorship of faculty at more advanced stages of their professional career or administrative standing. Faculty and departments should be required and get credit for engaging in activities that provide such growth opportunities with their new faculty members and should likewise get credit for engaging in these activities beyond the boundaries of their departments. Also, while there is list of responsibilities regarding what each stakeholder should be doing in the P&T process, it's clear that the largest burden of accountability is placed on the untenured faculty member. Departments and colleges should have to include in their annual reports what they do to mentor untenured faculty and there should be a mechanism (like an anonymous electronic survey) that checks annually how well departments and colleges are doing in mentoring new faculty.</p>
<p>32.</p>	<p>Just a note concerning changes in the "collegiality" definition. My experience is that "negative" statements concerning collegiality are likely to come from peers or committee members that just dislike the individual. In my case, because I did not submit grants and chose not to professionally interact with the person, a "lack of collegiality" was an issue and it was included in my P&T reports. Thus, I strongly suggest that any changes still forcefully undercut this possibility and such statements must come from a variety of persons, not just one, with names of those individuals included.</p>
<p>33.</p>	<p>I am in agreement with the current policy.</p>
<p>34.</p>	<p>Dear Faculty Affairs: I have concerns about changes being made to policies under the guise of mandated reviews without documentation of problems with the existing policy. We are living in a time in which legislators, administrators, and other decision makers of public institutions push through new policies and laws under the guise of "a problem" when there is no credible empirical evidence of a problem or when mere rhetoric of "a problem" constructs the supposed problem. Two concrete examples of this are: (1) so-called election fraud that justifies new voting restrictions; and (2) new "religious freedom" laws like that of Indiana that have discriminatory potential. Before changes to the NMSU policy manual is made I would like to see documentation of a problem and specifically how a new policy or altered policy will remedy some</p>

	specific problem. Thank you for your consideration.
35.	The post tenure review section needs a lot of work. It looks like it takes a minimum of three years to remove an underperforming faculty member. This needs to be shortened. Tenure is being used as a shield for doing nothing rather than to protect academic freedom. With the budgetary problems facing NMSU, we need an efficient method of removing faculty no longer interested in performing the duties of a faculty member.
36.	<p>1. No promotions before tenure! Giving a promotion halfway through years to tenure is in essence granting tenure at that time. It is hard to deny tenure if someone was deemed good enough for promotion, even though maybe all they did was follow a checklist and are not really contributing.</p> <p>2. Time in each rank should be at least 3 years before considering promotion to the next rank. Promotion is not just for an exceptional year; a consistent body of work needs to be shown, and it takes at least 3 years to show that. This going up after one or two years needs to stop. Everyone needs to hold to standards and respect the process, and not just go up for promotion to get the raise. There needs to be a solid and consistent body of work. Now without a requirement of years in rank people think they are deserving if they had a good year, but a consistent level of work cannot be shown in one or two years, and certainly to be a full professor it should take at least 10 years to get there. We need to be sure promotions mean something and are not given just because someone has one good year.</p> <p>3. Regarding the AoE, I would like the goal process separated from the P & T review. Goal setting should be done with the supervisor separate from P & T. P & T should not be the one stop shop for monitoring faculty, which is what it has become. Goal setting is one function that should be done outside P & T, and then the portfolio becomes a compilation and presentation of what the faculty member has achieved and contributed to the college, and looked at as a holistic and entire body of work, not in a compartmentalized and segmented way that the current way of looking at it by area and goal promotes. The P&T committees should be able to look at the body of work and see if it is credible for a promotion or tenure regardless of what goals were or were not achieved.</p> <p>4. Get rid of exceeds standards. Either meets or not. Supervisors interpret exceeds differently, so it's not fair.</p> <p>5. Re-implement the faculty vote for tenure. This would give a better 360 degree review of someone by helping to answer the important question of whether a person is a good fit and actually enhances the program.</p> <p>6. Tenured full professors should only be reviewed every three years (like administrators).</p> <p>7. Policy/forms (tabs provided/checklist) are too restrictive, and easy to achieve without meaningful contributions. Faculty can get by with just doing the minimum checklist requirements. The checklist mentality needs to go away. To put this in another way, too much structure/guidance as we have now is a disservice to faculty and inhibits creativity. There needs to be less of a formula so faculty members are free to design their own career path, and reviewers need the opportunity to think, and yes, make judgments, not just follow a checklist. Giving faculty expectations for rank as summarized in the P & T procedures should be enough without laying it out for them. There needs to be room for</p>

	<p>individual thought on the part of both faculty and reviewers. Bottom line: as a reviewer, I want to look at the entire body of work and not be bound to a checklist or worry if goals (that may or may not be good) were met. 8. A review of everything that is being required to be included in the portfolio should be done, and then delete the things that are there just for administrative convenience. Those should be done outside the P&T process (like goals). 9. My ideal P & T process, if I could do a major revamp, would be to throw out the current policy except the criteria for promotion and tenure, and then just simply have faculty turn in a 2-page summary of what they did each year and how that contributed to the college. And there are probably several wording concerns in the policy, but here are just three that I made note of last semester: 10. 5.90.1: Get rid of the word "assigned" (duties assigned to them). Faculty should have a say in designing their own career path. 11. 5.90.4: it should reference that expectations are of the rank they are applying for. 12. Page 39 of policy (5.90.5.5.1) should state clearly since last promotion or date of hire as full time tenure track faculty. This will eliminate the problem of people including prior adjunct work or prior achievements.</p>
<p>37.</p>	<p>Has anyone bothered to ask our NMSU Administration, "If the Allocation of Effort (AOE) document is NOT a contract, then exactly what is it?" It would seem to me that a non-contractual document would require no signatures. After all, a non-contractual document is not binding, correct? More precisely, I am wondering what will now be the basis of faculty evaluations. If the AOE document is NOT a contract, then how can faculty be penalized (i.e., with a negative evaluation rating) if they choose not to meet the objectives they set forth in said "recommendation?" Indeed, if the A of E document is meaningless, then why do we need it at all?</p>
<p>38.</p>	<p>I have wondered why, in 5.90.5.5, the instruction is that "the combination of items 4-6 shall not exceed 50 pages," followed by a list identified by letter instead of number. Perhaps "items D-F" would be clearer? Also, I wonder if any of the colleges are still recommending or accepting up to 50 pages.</p>