

POLICY STATEMENT 109

UNSATISFACTORY JOB PERFORMANCE AND PERFORMANCE IMPROVEMENT OF TENURED FACULTY

Last Revised: June 15, 2021

I. PURPOSE

LSU's Permanent Memorandum 35: *Review of Faculty Ranks* requires each LSU campus to establish a procedure for when a unit leader has found a tenured faculty member's job performance to be unsatisfactory in two reviews within a five-year period. This policy statement establishes that procedure for LSU. By means of peer committees, it provides a check on the unit leader's finding, assistance to the faculty member, and a means to avert the consideration of dismissal for cause. This procedure must precede any consideration of dismissal for cause based on unsatisfactory performance evaluations if the grounds consist solely of unsatisfactory job performance.

As with all personnel matters, this process requires discretion and confidentiality among all parties.

This policy is a companion to and supplements Policy Statement 36T: *Tenure-Track and Tenured Faculty: Appointments, Reappointments, Promotions, Tenure, Annual Reviews, and Enhancement of Faculty Performance* and applies only to tenured faculty. Section III of this policy establishes the procedure, as authorized by PM 35, for when a unit leader has repeatedly found a faculty member's job performance to be unsatisfactory.

II. DEFINITIONS

Advisory Board: a group of three full professors appointed by the Provost in consultation with the Faculty Senate Executive Committee; reviews faculty members' files and plans for improvement resulting in recommendations to the Provost; monitors the functioning of the processes related to findings of unsatisfactory job performance; considers issues of fairness and faculty rights as well as the effectiveness and benefit of these processes; provides guidance and advice to unit leaders and to Peer Review Committee; and makes recommendations for the improvement of the peer review process at the college level for the dean per PS 36T; the FAC unit leader's evaluation and writes an independent evaluation

considered *new* if it is the first annual evaluation of a tenured faculty member deemed unsatisfactory; or an unsatisfactory evaluation that does not

meet the requirements for *Repeated Finding*. The designation of *New Finding* must be supported by the Provost.

Panel: a group comprised of all the tenured faculty with majority appointment in the same primary academic unit and at the same or higher rank as the faculty member under review, but not including the chair or the faculty member, except that the rules of the unit may delegate this authority to a more restricted, standing body with the same rank criteria, which has been elected. The Panel must consist of a minimum of three eligible voting faculty members. In the event there are not enough eligible voting faculty members in the department or in other circumstances for which additional members of the review committee are desired, additional members will be added through a process described below.

Peer Review Committee: a committee appointed by a faculty Panel, or by the Provost if not by a Panel; works with the faculty member during the period of time allowed for improvement; if requested by the faculty member, the Peer Review Committee will advise and assist them in the preparation of the plan and will confer with them on all matters at issue; in its interactions with the faculty member, will observe the principle of academic freedom as well as professional self-direction.

Plan: a program for improvement developed by the faculty member; includes any resources needed by the faculty member; may be developed in consultation with the Peer Review Committee; must be submitted through proper administrative channels to the Provost.

Repeated Finding: A finding is considered repeated if it is a second annual evaluation of a tenured faculty member that is deemed unsatisfactory by the unit leader

A needs improvement evaluation provides notice to a faculty member that their scholarship, teaching, and/or service do not meet departmental expectations of a tenured faculty member. Consequences of this rating are handled at the department level, and departments will take appropriate action to provide peer support for the faculty member. There may not be more than two consecutive *needs improvement* ratings. The subsequent evaluation must be either satisfactory, if there has been sufficient improvement, or unsatisfactory.

As used herein, the term unsatisfactory is defined and restricted as follows: for a finding of unsatisfactory job performance to be made, the deficiencies must be serious. That is, they must be so substantial that if they were to persist after the faculty member receives adequate notice, and after a reasonable time is allowed for improvement, then grounds would exist for the consideration of dismissal for cause under the provisions of PS 104. Unacceptable performance in **either** teaching **or** scholarship

- b. If the faculty advisory committee's report does not support the unit leader's finding of unsatisfactory job performance, then the unit leader is free either to withdraw the finding or revise the unit leader's evaluation accordingly, or to persist therein. If the evaluation by the unit leader remains unsatisfactory, the file including the committee evaluation will be forwarded to the dean.
3. Whenever the dean receives a file from the faculty advisory committee that contains a finding of unsatisfactory job performance, the dean will write a recommendation to the Provost within 10 calendar days of receiving the file, in support of or in disagreement with the finding.
4. Whenever the Provost receives a file that contains a finding of unsatisfactory job performance, the Provost will consult with the Advisory Board and the dean and render the final decision within two weeks of receiving the file.
 - a. The Provost may decide to overrule the finding. Henceforth, in that case, the finding will

statement to that effect in the faculty member's personnel file. In that event, if there is a subsequent finding of unsatisfactory job performance, the first subsequent finding of unsatisfactory performance will be regarded as a new finding.

V. CONSTITUTION OF ADVISORY BOARD AND PEER REVIEW COMMITTEE

A. Appointment of the Advisory Board to the Provost

The Advisory Board will comprise three tenured full professors, serving for staggered three-year terms. No one person may serve for more than a total of six years. No one with an administrative rank of unit leader or higher may serve. No more than one person from any one college or school may serve at one time. The Provost will make appointments to the Advisory Board after consultation with the Faculty Senate Executive Committee. The functions of the Advisory Board will be as follows:

1. To review faculty members' files and plans for improvement as provided herein, making recommendations to the Provost
2. To monitor the functioning of the processes related to findings of unsatisfactory job performance
3. To consider issues of fairness and faculty rights as well as the effectiveness and benefit of these processes
4. To give guidance and advice to unit leaders and to Peer Review Committees with regard to their duties under Section III
5. To make recommendations for the improvement of pertinent policies and practices

B. Selection of a Peer Review Committee

1. The body with authority to select a Peer Review Committee, herein called the *Panel*, comprises all the tenured faculty with primary appointment in the same academic unit and at the same or higher rank as the faculty member under review, except that the rules of the unit may delegate this

VIII. SOURCES

PM 35: *Review of Faculty Ranks*