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Making the Most of Post-Tenure Review

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Governing boards have the unenviable duty of trying to oversee in a responsible and responsive way a complex and long-enduring social institution whose arcane workings few board members, administrators, or faculty ever fully comprehend. Enduring social institutions of any kind are, of course, like great leviathans borne by currents and instincts in ways and directions they need not understand in their continuing pursuit of sustenance and self-preservation. However, if one is to effect any meaningful change in the values and conduct of the leviathan, one must take into account the environmental dynamics and motivational stimuli that determine the thing's behavior. Otherwise, the internal bureaucracy takes over, tucking well-intended mandates into already existing routines, rendering compliance necessarily efficient but also largely perfunctory.

Such, I believe, has been the case with post-tenure review.

Background:

In the mid 1990's post-tenure review was a hot issue on the agenda of many governing boards around the country. They were quite successful in ensuring that policies and processes were developed and put in place; and now many, if not most, public institutions have some form of post-tenure review. The reviews of the review began coming in around the turn of the millennium. Though these were mixed, the prevailing sentiment was that not a lot had changed. E.g., an article in the Chronicle of Higher Education on "The Fallout from Post-Tenure Review" noted that after almost a decade of wide-spread implementation "the firing of tenured faculty members as a result of post-tenure review is extremely rare" and that "the number of tenured faculty members who have received unsatisfactory ratings during their reviews is also tiny" (Gabriela Montell, October 17, 2002).

The effectiveness of any policy initiative may of course depend on where you look and whom you talk to, especially since the rigor of the policy and seriousness with which it is implemented may differ from university to university. Although there have been few instances in which dismissal proceedings have resulted from post-tenure review, we do not know how many tenured faculty may have shored up their performance in anticipation of a review or how many may have chosen to retire or move on rather than face the embarrassment of a development plan or the risk of dismissal proceedings. But the issue is finally less whether some good may have come of this added layer of faculty evaluation than whether the results are worth the time expended in achieving them. In any case, one must question whether post-tenure review has to any significant extent fulfilled its presumed purpose.

There are, I think, two basic reasons why post-tenure review has made little difference in the behavior of universities and their faculties.

1. Assumptions driving post-tenure review were not as well informed as they might have been, and so such reviews wound up providing at best a more systematic approach to the application of recourses already in place—however seldom employed. Some of the faulty assumptions, such as the following, still persist in the public view: that tenure is a lifetime guarantee of a job—whereas it is, at bottom,

simply a guarantee of due process; that once faculty members achieve tenure, their performance is no longer evaluated—whereas, at all institutions I know, faculty members are evaluated annually; and that tenure protects deadwood (along with wormwood)—an allegation difficult to prove or deny, since performance is relative and perceptions differ.

2. Of greater significance, however, is that post-tenure review comes across as punitive by intent and design. It may indeed prompt the application of recourses that were already in place and may by means of developmental plans either shore up weak performance or build a case for dismissal. But the fact remains that it functions purely as a negative incentive, threatening to all but significant only for the sub-marginal. With perhaps some rare exceptions, there is simply nothing in it for the generally capable, let alone outstanding, faculty member.

Proposal:

My purpose here, however, is not to weigh the value or success of post-tenure review; there is already an abundance of literature available the subject (see, for instance, the works of Richard P. Chait, Martin J. Finkelstein, and Jack H. Schuster). Rather, I want to offer a novel approach to faculty ranks that could make post-tenure reviews more meaningful.

The three academic ranks of assistant professor, associate professor, and full professor are almost universal among institutions of higher education in the United States. Faculty members considered to be on “tenure-track” normally begin their careers as assistant professors. If they are awarded tenure at the end of the probationary period, they are at many if not most institutions bumped up to associate professor, where they remain for six to ten years on average or even indefinitely. They can look forward to only one more bump—to professor—in a career that may span 30 to 40 years or more.

If we look at the military, an even more enduring social institution, we find ten ranks among commissioned officers, though four are at the level of General or Admiral, a rank few ever achieve. Thus, an officer intent on a career in the military has a succession of promotions to strive toward. Promotion becomes progressively more difficult, of course, and a relatively small percentage is likely to advance as far as Colonel or Navy Captain.

In the military the scope of responsibilities and the number of personnel overseen normally increase with each promotion. The same cannot be said for faculty members. Assistant professors, associate professors, and professors all do essentially the same job. For the most part, professors continue to teach the same courses they taught as assistant professors, and their research remains focused on the same field or sub-field. Their service activities may range more widely, and they may become increasingly valuable to the university through their experience with curriculum, accreditation, etc. But they have no more rungs on the ladder once they have become professors, even though they may have many years left in their careers. The effect on overall performance of this lengthy status quo may vary from individual to individual. Though it may make no difference to many, for others the desire to excel may erode in the absence of explicit recognition for continued contributions or new levels of accomplishment.

What I propose, then, is increasing the number of faculty ranks and tying promotion to post-tenure review. The three traditional ranks could be preserved but would need to be subdivided.

At the assistant professor level, a lengthy probationary period is observed in virtually all universities around the country that have tenure. Probably most institutions now have some version of what is commonly called the “third-year review,” in which assistant professors are subject to an evaluation more comprehensive than the annual one, especially with respect to their progress toward and prospects for achieving tenure. Following the review they are usually apprised of what appear to be their strengths and weaknesses and may be given guidance for shoring up the latter. If a faculty member’s performance is seen as seriously deficient, the member may be given notice of non-renewal, following a terminal year of employment. The third-year review serves the interests of both institution and faculty member, in that if separation is advisable and foreseeable, it is best accomplished sooner than later.

Assistant professors who survive the third-year review are not home free, of course, with tenure being a foregone conclusion, though the odds may shift in their favor. However, there is no reward other than continued employment for those who pass the third-year review, even if with flying colors. A division of the assistant rank into initial and advanced status could both strengthen the meaning of third-year reviews and extend recognition for a job well done—at least up to that point. Those with positive reviews could be promoted to the advanced level, preferably with at least a modest salary boost to give tangible recognition to their achievement. Those with mixed reviews might be retained in the same initial status, and those with decidedly poor reviews could be given a terminal contract.

The ranks of associate professor and professor, which usually carry tenure, could also be divided into successive levels, with consideration for promotion to the next level coming at designated intervals, the length of which could either mandatory or advisory, depending on an institution’s preference. This proposed post-tenure review would have one of three outcomes: 1) promotion to the next level; 2) continuation at the same level; 3) continuation but on a development plan intended to remedy evident deficiencies in performance. In the last case, an institution’s existing policies governing post-tenure review would apply. Usually, such policies contain the provision that if performance does not improve following implementation of a development plan, the faculty member may be subject to dismissal proceedings.

If the post-tenure review results in promotion to the next level, this should come with a significant merit raise—apart from any annual raise, whether based on merit, cost of living, or a combination of those. Annual evaluations are important for untenured faculty members, who need timely feedback on their performance, given their probationary status; but whether annual evaluations and annual consideration for merit should continue to apply at the upper ranks—under a scheme such as the one I am proposing—are issues that each university or university system would have to decide for itself. Since academic careers do not develop in neat yearly segments, annual evaluation of tenured faculty members has always seemed to me too frequent, though it may have some value and at worst it wastes a modest amount time. An interval of three years provides for a better-balanced assessment of performance across the spectrum of faculty responsibilities and university expectations. Moreover, the prospect of a significant merit raise increases the incentive and gives promotion to the next level or rank tangible significance—even if annual evaluations, possibly with more modest merit raises, should be continued. Obviously, any raises related to cost of living or correction of demonstrable inequities should continue to apply in accordance with existing policies, regardless of how merit is handled. One issue that always comes up is that funds available for merit raises typically vary from year to year, thus creating the potential for inequities and unfairness in the award of these over time. But that potential is realized only if an institution allows it to be. Disparities may be inevitable from year to year, since revenues are

seldom predictable, but institutions can and certainly should ensure that over time merit increases are fairly awarded.

The following columns outline how the proposed scheme might work. Again, the variables could be manipulated according to the preference of the university (within any mandated constraints), depending on the amount of flexibility deemed possible and prudent. I have used numerals for the different levels within each traditional rank. More descriptive titles could be used (such as “Advanced,” “Senior,” etc.), but given the loaded nature of most titles, I have stuck with neutral designations. The exception is the last rank, “Professor of the University,” which can be considered an optional one. If it is used, in my view it should require a nomination as well as review process and should be considered an honor bestowed only on those whose professional contributions as faculty members have been truly outstanding. Again in my view, a faculty member so honored should hold the title for no more than a limited number of years, as determined by the institution.

Benefit:

<p>The post-tenure review systems I have seen rely exclusively on the stick approach (though there may be exceptions). They provide virtually no incentive for faculty members whose performance is consistently capable or outstanding. The proposed scheme retains the stick but also offers a carrot. If post-tenure review were combined with successive opportunities for promotion and merit increases, faculty members would have an incentive not just to avoid demonstrably substandard performance but to try to maintain and improve their productivity and effectiveness. The university would benefit, students would benefit, and faculty members would benefit.</p>	<u>Rank</u>	<u>Review Year</u>	<u>Outcome</u>
	Asst Prof I	3 rd	Renewal and promotion to Asst Prof II with merit raise, renewal and continuation at current level, or terminal contract.
	Asst Prof II	6 th	Tenure and promotion to Assoc Prof I with merit raise or a terminal contract.
	Assoc Prof I	10 th	Promotion to Assoc Prof II with merit raise, continuation at current level, or remedial action (development plan).
	Assoc Prof II	14 th	Promotion to Prof I with merit raise, continuation at current level, or remedial action (development plan).
	Prof I	19 th	Promotion to Prof II with merit raise, continuation at current level, or remedial action (development plan).
	Prof II	25 th	Upon nomination, consideration for designation as Professor of the University with merit raise.
Prof of the U.	----	Title should apply for a limited number of years—concluding with retirement or reversion to prior rank.	

Would faculty members welcome an approach like the one I have proposed? Certainly, many of them no doubt resent the punitive nature of current post-tenure review systems and find them at best an unnecessary bother. That does not mean, however, that they would welcome change, especially since they might see the proposed scheme as setting up yet more hurdles for them to clear (however gratified they might feel in clearing them). Besides, any new scheme would require new strategies for getting ahead and could rouse fears that some colleague might find a way to game the system and so jump a rung ahead. Nonetheless, faculty members are highly motivated by competition and by reward systems that recognize their merits and contributions. Some faculty members may have an inflated notion of the value of theirs and may become resentful if their performance is not judged to be as competitive as they believe it to be. So, the more opportunities for promotion there are and the more rigorously evaluation criteria are applied, inevitably the more contentiousness one can expect to have to deal with. The proposed scheme would therefore have its downsides. But if it is axiomatic that

problems can never be entirely eliminated, it is equally true that they can be exchanged for ones that increase the margin of contentment and productivity.

No longer urgent as an issue, post-tenure review as an outcome remains but grudgingly accepted on the one hand and seemingly short of its intended purpose on the other. It is, nonetheless, here to stay. An approach to it that recognizes the value of positive incentives could help to ensure that faculty members remain engaged and effective. That is surely the end sought, and it is a worthy one, but the means must be commensurately worthy if the end is to be achieved.

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