Agreement
between
The Board of Trustees
of the University of Massachusetts
and
The Massachusetts Society of Professors / Lowell, MTA/NEA
July 1, 2014 to June 30, 2017
PREAMBLE

The practice of regular review of faculty and librarians based upon the submission of updated comprehensive professional vitae reviewed as contractually specified by departmental personnel committees, department chairs or division heads, the Library Director, and college Deans has been long established as the primary basis of reviewing the activities and the performance of faculty and librarians at the University of Massachusetts Lowell. These reviews have served as the primary basis for the allocation of merit awards as specified by the provisions of the Agreement between the Board of Trustees of the University and the Massachusetts Society of Professors/Lowell. Since faculty and librarians continually review their professional activities throughout their careers at the University, including after tenure and promotion, it is appropriate that the existing long-standing procedure of regular reviews of faculty and librarians be a principal component of any process of periodic multi-year review.

It is recognized that significant multi-year reviews of the activities and performance of faculty and librarians are contractually required in connection with major personnel actions: initial appointment, renewal of appointments without tenure, tenure, and promotion. These reviews evaluate the credentials, activities, and performance of faculty and librarians with respect to teaching effectiveness, research and scholarship, and professional, University, and community service. By contractual agreement the process for making decisions regarding such personnel actions is one of considerable rigor.

It is recognized that all faculty and librarians through the contractual agreement entered into by the University with the Massachusetts Society of Professors/Lowell are accountable for the performance of their contractual obligations and responsibilities. In adopting a periodic multi-year review policy the University and the tenured faculty and librarians acknowledge this accountability while upholding the integrity of tenure and academic freedom. Periodic multi-year review addresses accountability by fostering continued professional development.

PURPOSE

Periodic multi-year review of faculty and librarians, which is distinct from regular reviews, which have been connected to the allocation of merit awards, and major personnel action reviews, serves the function of providing a broader time frame within which the interests, capabilities, and performance of faculty and librarians may be examined and assessed. The purpose of such periodic reviews is to create opportunities for timely consultation, intervention, and assistance designed to enable the stimulation and encouragement of professional development, new initiatives, and/or changes in direction which will be of benefit to faculty members and librarians, departments or divisions, and academic programs in the University.

The primary purpose of periodic multi-year review (PMYR) is to assist tenured faculty and librarians in their continuing professional development. Faculty and librarians who have been awarded tenure through the rigorous process by which tenure is attained have been judged by the University as having demonstrated excellent performance and represent a substantial investment
on the part of the University. The awarding of tenure not only is recognition of a faculty member or librarian having achieved high standards of performance relating to teaching effectiveness, research and scholarship, and professional, University, and community service, but also represents a commitment by the University to provide the environment and resources which will enable the tenured faculty member or librarian to continue to develop professionally.

PMYR involves the assessment of interests, capabilities, and performance of tenured faculty and librarians over a number of years and assures that their talents and capabilities are maximized throughout their careers.

PRINCIPLES

1. PMYR is intended to supplement existing review mechanisms. PMYR allows for a broader time frame for examination and assessment not directly related to examinations and assessments involving major personnel actions.

2. PMYR must assure for all faculty and librarians the protection of academic freedom and the right to full and free inquiry, as prescribed in the contractual agreement between the University and the Massachusetts Society of Professors/Lowell.

3. PMYR is not to be construed as any sort of process of reviewing or renewing tenure. PMYR does not replace or affect the process contractually established for major personnel actions.

4. PMYR should be appropriately linked to department, division, and/or program reviews and should not involve the creation of additional unnecessary bureaucracy.

5. PMYR should include self-assessment, any materials or documents the faculty member or librarian deems to be relevant, internal peer preview as appropriate, departmental chair or division head review, and review by the appropriate college Dean or Library Director.

6. Standards of evaluation in each department, division, and college or library will be fair and consistent with the University of Massachusetts Lowell's departmental, division, and college or library practices. Factors particularly applicable to the University of Massachusetts Lowell and its predecessor institutions will be given recognition in the review process.

7. PMYR is intended to recognize that individual interests and abilities of faculty members and librarians may change over the course of one's career and that faculty members and librarians may meet their professional responsibilities to their departments, programs, and divisions in varied and changing ways.

TIMING OF PROCESS

1. PMYR is to be conducted so that tenured faculty members and librarians will be subject to review once during a seven year cycle. PMYR normally will take place for tenured members of a department, program, or division coinciding with the year during which general review of the department, program, or division occurs. If for any reason no general review of a department, program, or division is scheduled within a seven year period, the review for members of such departments, programs, or divisions will occur no later than the seventh year of the cycle.
2. The timing of the PMYR for any tenured faculty member or librarian or for all tenured faculty or librarians connected to any department, program, or division is subject to modification by written agreement between the University and the Massachusetts Society of Professors/Lowell. A faculty member or librarian may initiate a request for time line modifications with approval by the tenured members of the departmental personnel committee.

REVIEW MATERIALS

The foundation for the review will include a brief self-assessment statement, typically between 1000 and 2000 words and not to exceed 2500 words, submitted by the tenured faculty member or librarian that summarizes his/her principal activities during the period since the last PMYR or more recent major successful personnel action, and his/her goals and approach to achieving such goals in the areas of teaching, research/scholarship, and activities relating to professional, University, and community service in the coming years. This statement also should reflect how the individual perceives his/her activities in their relation to the department, program, or division to which the individual is connected academically or administratively. If the individual's statement calls for a major new initiative or change in the direction of his/her work, the statement will include any requests for additional developmental support needed for that initiative or change in direction. In addition the tenured faculty member or librarian will submit a current curriculum vitae. These materials will be submitted to the individual’s department chair or division head.

REVIEW PROCESS

The Department or Division Personnel Committee and the Department Chair or Division Head will review tenured members’ self-assessment statements, current curriculum vitae, and regular reviews since the last PMYR for department or division members. In terms or PMYR, the Department or Division Personnel Committee will contain as members only tenured faculty or librarians who have not themselves been exempted from PMYR. No member of the Department or Division Personnel Committee shall participate in any deliberations of the Committee or any votes of the Committee relating to his or her own review. The Department Chair or Division Head will be reviewed only by the Personnel Committee and on the same basis as other faculty members in the department or division. After review of the materials, the Personnel Committee and the Chair or Division Head will each recommend that the statement submitted by the faculty member or librarian be either:

(1) Accepted, or
(2) Revised.

It is expressly understood that neither the “Accepted” or “Revised” recommendation necessarily implies either a positive or a negative evaluation of the individual or of the materials submitted by that individual.

A recommendation to accept the submitted statement will be made when the individual’s past performance and future goals, as documented in the materials submitted, indicate that no changes in the faculty member’s or librarian’s work or plans is required for the individual to continue to contribute effectively to the departmental, divisional, or programmatic needs of one’s college,
college division, or the library of the University. A recommendation to revise the submitted statement will be made when the individual’s past performance and future goals, as documented in the materials submitted, suggest that a significant change in the faculty member’s or librarian’s work or goals (reflecting substantial differences from those noted by the individual faculty member or librarian) is indicated in order to promote the faculty member’s or librarian’s continued effective contribution to the departmental, divisional, or programmatic needs of one’s college, college division, or the library of the University.

In making either recommendation the Personnel Committee and the Chair or Division Head may also suggest modifications to the faculty member’s or librarian’s statement and also will make a recommendation as to the resources required for further professional development of the individual faculty member or librarian especially as relating to the continued effective contribution of the individual to the departmental, divisional, or programmatic needs of the individual’s college, college division, or the library of the University.

A decision to recommend developmental support would typically consider such factors as:

(1) whether the individual’s past performance and future goals indicate that he/she is likely to be successful in achieving the goals if he/she is given the necessary support;

(2) whether the individual’s statement involves a substantial change in the nature of the individual’s work.

(3) the extent to which the individual’s statement represents contributions to departmental, divisional, or programmatic needs of one’s college, college division, or the library of the university.

If support for development is recommended, the recommendation will be submitted to the appropriate Dean or the Library Director who will consider the award of professional development funds from a college or library professional development fund established on a per capita basis for each college, college division and the library with funds for this purpose being made available by the Provost. The Dean will be aided in this activity by a three person committee elected from tenured faculty from the relevant college or college division, or, in the case of the University library, the Library Director will be aided in this activity by a three person committee elected from tenured librarians. If the funds available are inadequate to meet the demands, decisions will be based on a combination of needed and merit so as to ensure that funds are available both to solve problems and stimulate new initiatives, as well as to respond to the most pressing needs.

The fact of a faculty member’s or librarian’s refusal to accept or to implement the revised statement shall not be a basis for discipline, and no aspect of the PMYR process, including, but not limited to, informal discussion, written recommendations, or the facts or details of any revised statements generated as part of the process shall be considered as an initial stage in any disciplinary process or be introduced as evidence or otherwise referred to in any later disciplinary procedures. This exclusion does not apply to any document or record originally intended for a use other than the PMYR, e.g. regular reviews as provided for contractually, nor to any aspect of a faculty member’s or librarian’s performance which may have been considered in the PMYR process and may be separately considered in a subsequent disciplinary process. Nothing in this policy changes the “just cause” standard set forth in the collective bargaining
agreement under which a faculty member or librarian may be considered for dismissal.

If both the Personnel Committee and the Chair or Division Head recommend "Statement accepted" and the Dean or Library Director concurs, then no further action will be taken, and the review will be concluded. If the Dean or Library Directors does not concur, the statement along with specific comments from the Dean or Library Director explaining the lack of concurrence will be returned to the faculty member or librarian, Personnel Committee, and Chair or Division Head for review and consideration.

If either the Personnel Committee or the Chair or Division Head recommends "Statement revised," and the Dean or Library Director concurs, the Personnel Committee and the Chair or Division Head separately or together as appropriate shall meet with the individual to discuss ways in which the individual might enhance his/her professional contribution through a revised statement. The intent of the revised statement is to support and encourage effective contributions and professional development relating to individual, departmental, divisional, or programmatic needs. Opportunities to develop professionally may include, but are not limited to, consultation with colleagues to assist in problem areas, a change in department or division assignments to facilitate improvement in teaching, research and scholarship, or service, the design of a sabbatical leave which is crafted to address the identified needs, and referral to the Center for Teaching and Learning, if appropriate.

If a revised statement agreeable to the faculty member or librarian, the Personnel Committee, and the Chair or Division Head cannot be achieved, the situation will be referred to a five person college level, college division level, or University Library level appeal committee, who tenured members of which are to be nominated and elected by the tenured members of the faculty member’s college or college division, or, in the case of librarians, the two tenured members are to be nominated and elected by tenured librarians. An additional two tenured members are to be appointed by the Dean or Library Director. In colleges and college divisions where there are multiple departments or divisions the maximum combined number of elected and appointed members of the appeal committee from any one department or division is two. These four members will serve for a staggered period of two years. The fifth member of the appeal committee will be selected by the faculty member or librarian to serve as his or her representative. The appeal committee, including the faculty member’s or librarian’s representative, will draft a statement in consultation with the Chair or Division Head, the Personnel Committee, and the faculty member or librarian. This will be the revised statement when adopted by majority vote of the appeal committee.

The revised statement will address the issues identified, will include a timetable and criteria for a follow-up review to take place in three years, and will be signed by the faculty member, the Department Chair or Division Head, and the Dean or Library Director. The revised statement may include a reallocation of the faculty member’s or librarian’s efforts, but such reallocation will itself not diminish the faculty member’s or librarian’s entitlement to merit funds. Any proposed reallocation of duties should not be designed, intended, or used for the purposes of controlling, restricting, or redirecting the nature of the faculty member’s or librarian’s research or scholarship in his/her field. The revised statement also will indicate what resources or other support will be devoted to promoting the success of the revised statement.

During three year period, the Personnel Committee and the Chair or Division Head will consult as needed with the faculty member or librarian, and at least annually will comment in writing on the
individual's progress toward the goals set forth in the revised statement. The Dean or Library Director will review these comments and may comment as well. At the end of this three year period, the Personnel Committee, the Chair or Division Head, and the Dean or Library Director each will evaluate in writing the extent to which the goals of the revised statement have been achieved. If the parties concur that the goals have been achieved, the recommendation will be that a subsequent PMYR will take place in four years, restoring the seven year cycle. If they do not concur, other possibilities may be discussed. The Dean or Library Director may determine that no further efforts at faculty development are warranted and may refer the matter to the Provost to determine whether dismissal or disciplinary action should be contemplated, consistent with the requirements of the contractual agreement between the University and the Massachusetts Society of Professors/ Lowell.

ASSESSMENT

Each Dean or Library Director will prepare an annual report to the Provost on the PMYR process in his or her college or the University Library. This report, which will be reviewed by the Provost to ensure that the PMYR process is being followed appropriately and consistently across the campus, will include a summary of the number of periodic multi-year reviews conducted and their results and relevant details about all instances in which a revised plan was developed.

Periodically after implementation of PMYR, the parties will jointly evaluate and report to the campus on how the policy is working.