
AGENDA

UNIVERSITY OF HOUSTON SYSTEM ACADEMIC AND STUDENT SUCCESS COMMITTEE MEETING

DATE: Wednesday, November 30, 2022

TIME: 3:00 PM

PLACE: The Post Oak Hotel at Uptown Houston
Post Oak Ballroom, Third Floor
1600 West Loop South
Houston, TX 77027

Chair: Durga D. Agrawal
Vice Chair: Beth Madison
Members: Alonzo Cantu
John A. McCall, Jr.
Ricky A. Raven
Edward Carrizales – Non-voting
Tilman J. Fertitta, Ex Officio

I. Academic and Student Success Committee

Presenter: Chair Durga Agrawal

A. Call to Order

Presenter: Chair Durga Agrawal

B. Approval of Committee Minutes

- August 25, 2022, Academic and Student Success Committee Meeting

Action: Approval

Presenter: Chair Durga Agrawal

C. Approval of University of Houston Faculty Post Tenure Review Policy

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Action: Approval

Presenter: Dr. Robert McPherson, Interim Senior Vice Chancellor for Academic Affairs and Provost

D. Informational Presentation of Low Producing Programs

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Action: Information

Presenter: Dr. Robert McPherson, Interim Senior Vice Chancellor for Academic Affairs and Provost

II. Executive Session

Presenter: Chair Durga Agrawal

- A. 1. Consultation with System Attorney Regarding Legal Matters, and/or Contemplated Litigation or Settlement Offers.
Texas Gov't Code Section 551.071
- 2. Deliberations regarding the Purchase, Exchange, Sale or Value of Real Property.
Texas Gov't Code Section 551.072
- 3. Deliberation Regarding a Prospective Gift.
Texas Gov't Code Section 551.073
- 4. Personnel Matters Relating to appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees including but not limited to the Chancellor, Presidents, Vice Chancellors, in the Division of Athletics and members of the Board of Regents.
Texas Gov't Code Section 551.074

III. Report and Action from Executive Session

Presenter: Chair Durga Agrawal

IV. Adjourn

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Academic and Student Success

ITEM: Approval of University of Houston Faculty Post Tenure Review
Revisions

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

Dr. Robert McPherson, Interim Senior Vice Chancellor/Senior Vice President for Academic Affairs and Provost, will present the University of Houston Faculty Post Tenure Review Policy Revisions for approval.

SUPPORTING DOCUMENTATION: UH Faculty Post Tenure Review Policy Revisions

FISCAL NOTE: None

**RECOMMENDATION/
ACTION REQUESTED:** Administration recommends approval of this item

COMPONENT: University of Houston



INTERIM SENIOR VICE CHANCELLOR Dr. Robert McPherson



DATE



CHANCELLOR Renu Khator



DATE

UNIVERSITY OF HOUSTON
ENHANCED PERFORMANCE EVALUATION (EPE) OF TENURED FACULTY POLICY

I. PREAMBLE

Annual faculty workload and faculty performance expectations at the University of Houston are set by the academic department and/or college under guidelines contained in the University of Houston Faculty Workload Policy ([MAPP 12.05.01](#)) and the [UH Faculty Annual Performance Review \(F-APR\) Policy](#). Under these policies, all faculty members are required to undergo a comprehensive, annual performance review appropriate to the type of faculty appointment held, academic rank, and career stage of the individual faculty member. However, tenured faculty members traditionally hold roles and responsibilities in at least three overlapping professional domains (i.e. research/scholarship, teaching/instruction, service, and where applicable, patient care and/or academic program administration), many of which are multi-year commitments that span multiple annual performance review periods. As such, identification of performance issues in one or more of these professional domains during any single faculty annual performance review period may not accurately or fairly reflect the long-term performance and productivity of an individual tenured faculty member.

II. ACRONYMS USED

EPE – Enhanced Performance Evaluation

F-APR – Faculty Annual Performance Review

T-PDP – Tenured Professional Development Plan

IAS – Immediate Academic Supervisor (i.e. department chair, dean, or dean’s designee)

III. PURPOSE & SCOPE

The following academic policy is intended to ensure that tenured faculty members at the University of Houston continue to meet long-term performance and productivity expectations set by their academic units and the University. In the case of a tenured faculty member who repeatedly fails to meet annual performance expectations over multiple annual performance periods (defined below), it is reasonable for an academic unit and the University to assume that this is a valid indicator that a tenured faculty member is failing to meet these long-term performance and productivity expectations. Under such circumstances, this policy requires that the tenured faculty member undergo an additional, enhanced performance evaluation (EPE) to address such long-term performance and productivity issues. Intended to be formative and collaborative in nature, the goal of the EPE process is to provide specific guidance and appropriate assistance in helping the tenured faculty member return to the performance and productivity levels expected of them by their academic unit and the University. As is required for all faculty evaluation processes at UH, this policy and the EPE process it describes is grounded in the principles of **peer review**, **academic freedom** and **due process**.

IV. POLICY

This academic policy applies only to faculty members who have been awarded tenure at UH, and provides a uniform framework, process and set of procedures to be followed for conducting an EPE process. This policy details the circumstances and criteria that will trigger such an EPE process, including which faculty review bodies and academic administrators are responsible for reviewing those trigger criteria, and if necessary, developing, implementing, monitoring and evaluating any subsequent tenured professional development plan (T-PDP). In addition, this policy details the roles and responsibilities of both the tenured faculty member participating in an EPE process, and the faculty review bodies and academic administrators responsible for conducting an EPE process. Finally, this policy describes the possible outcomes of an EPE process, and the potential administrative actions that may be taken once an EPE process is fully complete.

A. Criteria For Initiating an EPE Process

- (i). The criteria used to initiate a mandatory EPE process will be based solely on the outcome of the standard faculty annual performance review (F-APR) process conducted for all faculty members at UH. As per university policy, faculty workload and productivity expectations appropriate to the tenure status and career stage of a faculty member are required to be clearly articulated and defined in F-APR policies developed by individual academic units and approved by the Office of the Provost.
- (ii). A tenured faculty member shall be subject to the initiation of a mandatory EPE process if they receive a negative F-APR evaluation or score relating to their performance either twice in the research and scholarship domain or twice in the teaching and instruction domain (or if appropriate twice in the patient care/program administration) during **two out of any three consecutive annual performance review periods**.
- (iii). For the purposes of triggering a mandatory EPE process, a negative F-APR outcome is defined as an evaluation or score that falls below the equivalent of “meets expectations” for annual faculty workload or productivity in the professional domains specified immediately above.
- (iv). The triggering of a mandatory EPE process based on receiving two negative F-APR outcomes in any three consecutive annual performance periods will begin with the first annual faculty performance review period this policy becomes effective. F-APR outcomes in the service domain will not be considered as part of the trigger criteria for determining the initiation of a mandatory EPE process.
- (v). If a tenured faculty member meets the performance criteria for triggering the initiation of a mandatory EPE process, the faculty member will be formally notified of this action by their department chair (or dean if applicable) in writing no later than May 31 of the academic year that they met the criteria, with that notification being forwarded to the Provost (or designee).

B. EPE Committee Formation and Membership

(i). The academic unit (i.e. a department or in some cases a college) initiating a mandatory EPE process shall elect a committee of tenured faculty members for the purpose of overseeing the administration of the EPE process. The EPE committee membership may be drawn from a previously constituted faculty committee, such as a personnel committee or promotion and tenure committee, with the caveat that the members of the EPE committee must be tenured and have been elected by the faculty of the department or college. In addition, the EPE committee should include at least one member that has been responsible for reviewing faculty annual performance materials in the academic unit within the previous three F-APR evaluation cycles. If a committee made up of appropriately eligible faculty members does not already exist, the faculty in the academic unit must elect one. This is an essential faculty peer review step, providing protection against arbitrary or capricious administrative actions.

(ii). The EPE committee shall consist of at least five tenured faculty members, with at a minimum half of the committee members being full professors. One member will serve as chair of the EPE committee elected by the committee as a whole. As is the case in other faculty evaluation processes such as tenure and/or promotion, when a department or academic unit has a limited number of tenured full professors eligible to serve, with the approval of the dean and the Provost (or designee), the unit may recommend additional full professors from an appropriately related academic discipline within the University to serve on the EPE committee.

C. EPE Committee Review Process

(i). Once a tenured faculty member has been informed that they are subject to a mandatory EPE process, the EPE committee will review all written F-APR materials generated in the previous three consecutive annual performance evaluation cycles concerning the tenured faculty member, in order to determine that the performance related criteria for triggering an EPE process have been appropriately met. The EPE committee shall review all relevant F-APR materials including applicable F-APR policies, annual faculty activity reports submitted by the tenured faculty member, documentation regarding any approved differential workload modifications granted to the tenured faculty member, final performance evaluation reports and/or scores generated by the F-APR committee and/or department chair (or dean if applicable), and any grievance materials related to disputed annual performance evaluations generated during this three year period.

(ii). If the EPE committee determines that the criteria for initiating an EPE process have not been met, the committee will provide the department chair (or dean if applicable) with a detailed, written explanation for the basis of their determination. Any committee recommendation not to proceed with a mandatory EPE process must be reviewed by the Provost (or designee), who reserves the right to return the recommendation to the EPE committee for reconsideration along with a written rationale for why a reconsideration is justified.

(iii). After any reconsideration, if agreement between the EPE committee and the Provost (or designee)

cannot be reached concerning whether or not to move forward with the EPE process, the Provost (or designee) will submit the case to the University Faculty Grievance Committee. Within 30 calendar days of receiving the case, the committee will provide a final determination to the Provost regarding whether or not the EPE process should move forward. The committee's final determination to the Provost will be binding on all parties involved.

(iv). Once a decision has been made to proceed with an EPE process, the EPE committee will be responsible for creating a set of initial written recommendations concerning how the overall EPE process will be implemented. These recommendations will be based on relevant department, college and university policies concerning performance and productivity expectations appropriate to the academic discipline, rank and career stage of the tenured faculty member. These initial recommendations shall at a minimum include the following elements:

- (a) Identification and description of the specific performance deficits to be addressed by the tenured faculty member during the EPE process;
- (b) Definition of specific, objective success measures that will be used to judge whether or not the tenured faculty member has successfully remediated the identified performance deficits;
- (c) Determination of a reasonable time period for the tenured faculty member to successfully accomplish the required remediation and complete the EPE process. Depending on the nature of the performance deficits to be addressed, it is expected that a typical T-PDP will normally extend over the course of one or possibly two calendar years, but shall have a maximum duration of no more than three calendar years;
- (d) Identification of any resources that the tenured faculty member might reasonably expect be provided to them in order to successfully remediate the performance deficits identified.

(v). The EPE committee will share their initial written recommendations with both the tenured faculty member and the department chair (or dean if applicable), where both parties may provide feedback to the committee to correct any matters of fact, provide any additional pertinent information, or to address any questions or concerns which they may have. Feedback from the tenured faculty member or department chair (or dean if applicable) must be provided to the EPE committee within 7 calendar days of receiving these recommendations, although either party may choose to omit this step by informing the EPE committee chair of their decision in writing.

(vi). Once the EPE committee has considered any feedback or suggested modifications to their initial recommendations, the committee will provide their final recommendations to the tenured faculty member and the department chair (or dean if applicable) for comment. If necessary, the EPE committee's final recommendations shall include a rationale for why the committee decided to incorporate, or not incorporate any suggestions from either party into their final recommendations. After a comment period of no more than 7 calendar days, the EPE committee will formally submit their final recommendations and any comments received to the dean for review and approval. Final EPE committee recommendations approved by the dean shall be transmitted to the tenured faculty member, the department chair and/or dean, and the Provost (or designee).

D. Creation of a Tenured Professional Development Plan (T-PDP)

(i). Based on the final approved recommendations developed by the EPE committee, the immediate academic supervisor (IAS) who will be responsible for overseeing a tenured faculty member's T-PDP (i.e. the department chair, the dean or the dean's designee) shall work collaboratively with the tenured faculty member to jointly develop a detailed, written T-PDP designed to address the performance issues identified by the EPE committee. The specific contents of any particular T-PDP are expected to differ depending on the circumstances surrounding each individual case. However, in order to ensure that there is no ambiguity as to expectations, responsibilities and outcomes required for the tenured faculty member to successfully complete their T-PDP, the T-PDP shall at a minimum contain the following elements that explicitly map back to the final approved recommendations from the EPE committee:

- (a) a detailed description of the specific steps or actions to be undertaken by the tenured faculty member relative to remediating their performance during the course of their T-PDP;
- (b) a list of explicit outcomes and/or success metrics which the faculty member must meet in order to successfully complete the terms of the T-PDP;
- (c) an overall time-line for executing the T-PDP, including any specific deadlines for completion of individual remediation steps or actions required during the course of the T-PDP, and a final date by which the T-PDP must be fully completed;
- (d) a description of any resources that the tenured faculty member might reasonably expect be provided to them in order to successfully complete the terms of the T-PDP, including how and when those additional resources will be provided during the course of the T-PDP;
- (e) a time-line for the tenured faculty member to receive formal written feedback from their IAS regarding their progress towards successful completion of their T-PDP, which must be provided no later than 6 months in the case of a one year T-PDP, and no less than annually in the case of a multi-year T-PDP.

(ii). Once the terms of the T-PDP have been jointly agreed upon by the tenured faculty member and their IAS, the T-PDP shall be reviewed and approved by the dean. Approval of the final T-PDP by the dean shall be contingent on the dean agreeing that the final approved recommendations originally provided by the EPE committee have been fully addressed by the terms and conditions of the T-PDP. The dean will submit the approved T-PDP to the Provost (or designee) for final review and approval within 7 calendar days after the dean has received the T-PDP.

(iii). Once reviewed and approved by the Provost (or designee), a copy of the final approved T-PDP will be transmitted to the tenured faculty member. The tenured faculty member is required to acknowledge that they fully understand the terms and conditions of their approved T-PDP by returning a signed copy to the Provost (or designee), their IAS and dean within 7 calendar days. Those tenured faculty members participating in an approved T-PDP shall continue to also receive feedback on their performance through the typical F-APR process.

(iv). Tenured faculty members are expected to fully participate and comply with the terms of their approved T-PDP. Willful non-compliance by the tenured faculty member with the terms of an approved T-PDP as well as failure to cooperate in jointly developing the T-PDP may result in the tenured faculty member being subject to disciplinary action based on neglect of their professional responsibilities as described in the current UH Faculty Handbook. Willful non-compliance means intentional failure or refusal to comply or participate.

E. Requests to Change the Terms and Conditions of an Ongoing T-PDP

(i). Situations when a change to an ongoing approved T-PDP may be allowable include, but are not limited to, circumstances beyond the control of the tenured faculty member. In such cases, the tenured faculty member is required to provide relevant documentary evidence supporting their request. Where such documentary evidence involves protected personal information, all reasonable care must be taken to prevent the unauthorized disclosure of such protected personal information beyond the tenured faculty member's IAS, the dean and the Provost (or designee).

(ii). Any request made by a tenured faculty member to change the terms, conditions or timelines contained in an ongoing approved T-PDP must provide details on the specific changes being proposed, and be supported by their IAS. Any changes shall be reviewed and approved by the EPE committee to ensure that the proposed changes do not impact the overall intent and desired outcomes of the T-PDP originally recommended by the EPE committee. Protected personal information provided by the tenured faculty member supporting their request to change the terms and conditions of their approved T-PDP shall not be shared with the EPE committee.

(iii). All T-PDP change requests are subject to review and approval of the dean, with final review and approval by the Provost (or designee). After final approval by the Provost (or designee), copies of the modified approved T-PDP will be transmitted to the tenured faculty member, the IAS, the EPE committee, and the dean.

F. Review of a Fully Completed T-PDP

(i). At the conclusion of an approved T-PDP, the tenured faculty member shall prepare a written final T-PDP outcomes report detailing how they believe they have met the specific terms, conditions, and required outcomes of their approved T-PDP, which shall be submitted to the IAS no later than 14 calendar days after the final date to fully complete the T-PDP.

(ii). The IAS will review the tenured faculty member's final T-PDP outcomes report, and prepare an independent written evaluation concerning whether or not the tenured faculty member has met the terms of their approved T-PDP. This evaluation, along with copies of the final approved T-PDP, the tenured faculty member's final T-PDP outcomes report, and all written feedback provided by the IAS to the tenured faculty member during the course of their T-PDP, will be transmitted to the chair of the EPE committee and the tenured faculty member no later than 14 calendar days after the IAS received the T-

PDP outcomes report from the tenured faculty member.

(iii). If for whatever reason the EPE committee has lost any of its original members by the time a T-PDP is completed and submitted for review, eligible replacement faculty members shall be elected to the committee by the faculty of the department or academic unit involved prior to beginning of their review. The EPE committee shall conduct an independent review of the T-PDP materials and prepare a final written recommendation and vote tally indicating whether or not the tenured faculty member has successfully completed their approved T-PDP. This recommendation will be submitted to the dean, and copied to both the tenured faculty member and the IAS, within 28 calendar days of the EPE committee receiving the T-PDP materials.

(iv). If after review the dean agrees with the EPE committee's final recommendation, the dean will submit the T-PDP materials, the EPE committee's final recommendation, and the dean's approval to the Provost (or designee) for final review and approval. Alternatively, if after review the dean disagrees with the EPE committee's final recommendation, the dean will submit the T-PDP materials, the EPE committee's recommendation, and their dissenting opinion to the Provost (or designee) for final review and approval. Under either circumstance, these materials will be submitted to the Provost (or designee), and copied to the tenured faculty member, their IAS, and the chair of the EPE committee, within 7 calendar days of the dean receiving the EPE committee's final recommendation.

G. Process for Discontinuing the EPE Process

(i). During any stage of an ongoing EPE process, the tenured faculty member may choose to meet with their IAS and dean to discuss options for discontinuing the EPE process. Under such circumstances, the tenured faculty member may choose to negotiate terms related to either of the following options with their IAS and dean, subject to final approval by the Provost (or designee):

- (a) If aligned with the programmatic needs of the academic unit and approved by the IAS and dean, the tenured faculty member may immediately and irrevocably resign from their tenured faculty position, and simultaneously be appointed as a non-tenure track (NTT) faculty member (i.e. an instructional, clinical or research appointment) at the same academic rank (i.e. associate or full NTT professor) with a probationary period of four (4) years. The roles, responsibilities and compensation associated with such an NTT faculty appointment shall be approved by the IAS, and must be aligned with those of similar probationary NTT faculty members at the same rank in the academic unit as described in the UH NTT policy.
- (b) If eligible, the tenured faculty member may choose to immediately and irrevocably retire from their tenured faculty position, and simultaneously enter into a standard one year voluntary modification of effort (i.e. VMOE) contract at less than 0.5 full time effort (FTE). The terms of such a VMOE contract will be negotiated between the tenured faculty member and dean, which upon mutual agreement may be renewable on an annual basis for up to two additional years.

(ii). Regardless of which option for discontinuing the EPE process is mutually agreed upon, the terms of this agreement shall be captured in writing, acknowledged and signed by the tenured faculty member, and approved by both the IAS and the dean, prior to being submitted to the Provost (or designee) for final review and approval.

H. Disposition of a Fully Completed EPE Process

(i). The Provost (or designee) will conduct an independent review of all written materials related to the EPE process, including the initial EPE committee recommendations, the completed T-PDP materials, the EPE committee's final recommendation, and the dean's approval or dissenting opinion regarding those final recommendations. After review, the Provost (or designee) will make a determination as to whether or not the EPE process was conducted appropriately, and whether or not the tenured faculty member successfully completed the terms and conditions of their T-PDP. The Provost (or designee) will transmit their decision in writing to the tenured faculty member, the IAS, the chair of the EPE committee, and the dean, within 10 calendar days of the Provost (or designee) receiving the EPE materials for review.

(ii). If the decision of the Provost (or designee) is that the EPE process was conducted appropriately, and that the tenured faculty member successfully met the terms and conditions of their approved T-PDP, the tenured faculty member will immediately revert to the typical level of annual performance review required under departmental and university F-APR policies.

(iii). If the decision of the Provost (or designee) is that the EPE process was conducted appropriately, but the tenured faculty member failed to meet the terms and conditions of their approved T-PDP, the tenured faculty member may grieve this decision to the University Faculty Grievance Committee within 7 calendar days of receiving notification from the Provost (or designee). If the tenured faculty member files such a grievance, the committee will automatically review all materials submitted to the Provost (or designee) concerning the EPE process, along with any additional materials submitted to the committee as part of the formal grievance by the tenured faculty member.

(iv). After review of these materials, the University Faculty Grievance Committee will provide their recommendations to the Provost regarding whether or not the committee believes that the EPE process was conducted appropriately, and whether or not the committee believes that the tenured faculty member successfully met the terms and conditions of their approved T-PDP. These recommendations will be transmitted to the Provost (or designee) within 30 calendar days of the committee accepting the grievance.

(v). Within 14 calendar days of receipt and consideration of the recommendations of the University Faculty Grievance Committee, the Provost (or designee) will make a final decision concerning whether or not the tenured faculty member has successfully completed their approved T-PDP, and notify the tenured faculty member, the dean, the IAS, and the chair of the EPE committee of that decision.

(vi). If the final decision of the Provost (or designee) is that the tenured faculty member failed to meet the terms and conditions of their approved T-PDP, the Provost reserves the right to pursue dismissal for cause charges against the tenured faculty member based on “*substantial or manifest neglect of their professional or academic responsibilities*” as per the policies and procedures defined in [UHS BOR Policy 21.07 Faculty Dismissal](#) and the current UH Faculty Handbook.

**UNIVERSITY OF HOUSTON SYSTEM
BOARD OF REGENTS AGENDA**

COMMITTEE: Academic and Student Success

ITEM: Informational Presentation of Low Producing Programs

DATE PREVIOUSLY SUBMITTED:

SUMMARY:

Presentation of report on programs identified as low producing at University of Houston System institutions.

SUPPORTING

DOCUMENTATION: Low Producing Programs Report

FISCAL NOTE: None

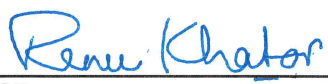
**RECOMMENDATION/
ACTION REQUESTED:** Information

COMPONENT: University of Houston System



INTERIM SENIOR VICE CHANCELLOR Dr. Robert McPherson

11/21/2022
DATE



CHANCELLOR Renu Khator

11/21/2022
DATE

LOW-PRODUCING PROGRAMS REPORT UNIVERSITY OF HOUSTON SYSTEM

- Every November/December a report on academic programs identified as low producing by the Texas Higher Education Coordinating Board is presented to the UHS Board of Regents with one of three recommendations:
 - Retain
 - Place on monitoring status for 3 years
 - Discontinue
- Low Producing Programs are programs that produce:
 - a) fewer than 25 graduates for undergraduate programs,
 - b) fewer than 15 graduates for master's programs and;
 - c) fewer than 10 graduates for doctoral programs in a five-year period
- For those programs placed on 3-year monitoring status, a decision is made at the end of the third year on whether the program will be closed if significant progress has not been accomplished
- We are currently tracking two academic programs identified as low producing programs. These are:
 - At the University of Houston
 - **Master's in Engineering Management** (Industrial Engineering/ENG):
 - Placed on monitoring status for 3 years in 2021
 - Program was dormant due to lack of faculty resources, but revived in Spring 2019
 - Program enrollment has risen from 6 students in Fall 2019 to 20 students in Fall 2021
 - Produced 5 graduates in Fall 2020 and 5 more are expected to graduate this semester
 - Based on current trends, expected to meet the required graduate threshold within the next 2 years
 - Recommendation: **Continue monitoring status**
 - **M.A. in Architectural Studies** (ARCH)
 - College plans to revise the current degree program to attract students drawn from a diverse range of affiliated design disciplines outside of the traditional professional architecture graduate degree track.
 - College has been working over the past five years to strategically hire faculty in those areas that can support the revised degree program.
 - The revised degree program will provide access to a post-professional degree for students from a diverse set of design backgrounds, and is unique

LOW-PRODUCING PROGRAMS REPORT
UNIVERSITY OF HOUSTON SYSTEM

in that does not require a studio requirement, an option currently unavailable in the region.

- Development of the revised degree program will occur during the 2022-2023 academic year with the first incoming class planned for the fall of 2024.
- Recommendation: **Place on monitoring status**

Low Producing Programs Report University of Houston System

Low Producing Programs in 2021

Institution	Program	Recommendation
University of Houston	Engineering Management (MEMGMT)	Continue monitoring status
University of Houston	Architectural Studies (MA)	Place on monitoring status

Academic and Student Success Committee
November 30, 2022