

## PROVISIONAL

### NON-TENURE-TRACK (NTT) FACULTY DEVELOPMENT PLAN POLICY

#### ACRONYMS USED

F-APR – Faculty Annual Performance Review

FDP – Faculty Development Plan

NTT – Non-Tenure Track

NTT-FDP – Non-Tenure Track Faculty Development Plan

PE-NTT – Promotion Eligible Non-Tenure Track

REA – Renewal Employment Agreement

UFGC – University Faculty Grievance Committee

Unit Administrator - department chair/program director or dean (in colleges without departments)

All faculty members at the University of Houston, including NTT faculty members and “instructors-of-record” are required to undergo a F-APR as laid out in the F-APR policy found on the Office of the Provost website.

The F-APR shall be a comprehensive evaluation of a faculty member’s performance in those domains in which they have professional responsibilities (i.e. student teaching and/or instructional activities, research and scholarship activities, and/or service activities).

Overall annual faculty workload and faculty performance expectations are set by the department/college under the guidelines provided for in the university level faculty workload policy ([MAPP 12.05.01](#)) and the faculty annual performance review policy (see Office of the Provost Website). Based on peer review, the F-APR is designed to provide a faculty member with a clear description of their achievements relative to the expectations of their unit/department as it relates to the roles and responsibilities of the faculty title/position they hold.

In the case of PE-NTT faculty members that hold a REA, the F-APR is intended to function as the main element of the performance review required for annual extension of a REA. Under normal circumstances, the results of a F-APR will itself constitute the appropriate level of annual performance evaluation for promotion eligible NTT faculty members that hold a REA.

In general, an apparent performance deficit is identified as when a promotion eligible NTT faculty member receives a rating/score in their F-APR that falls below the equivalent of a “meets expectations” as set out by their department/college.

If a PE-NTT faculty member holding a REA receives a rating/score in their F-APR that falls below the equivalent of a “meets expectations”, the faculty member becomes subject to the initiation of a mandatory NTT-FDP. A rating that falls below the equivalent of a “meets expectations” rating or score in the F-APR does not establish a presumption that the faculty member has given "cause" for dismissal.

Once a NTT-FDP has been initiated, the REA held by the faculty member is cancelled and reverted to a three (3) year fixed term employment agreement. Notice of the decision to initiate a mandatory NTT-FDP and the cancellation of the REA must be made in writing to the faculty member no later than May 31 of the current academic year.

As is the case for all faculty members, promotion eligible faculty members are subject to dismissal for adequate cause, financial exigency, medical reasons, or discontinuance of all or part of academic programs as defined in the relevant sections of the UH Faculty Handbook and/or applicable university policy, regardless of whether they hold a REA or not.

### **NON-TENURE TRACK – FACULTY DEVELOPMENT PLAN (NTT-FDP) PROCESS**

The expectations of any NTT-FDP should be determined as per existing department/college policies governing NTT faculty performance expectations. Any NTT-FDP must be reviewed and approved by the Office of the Provost prior to its initiation. However, the NTT-FDP process should adhere to the following general principles in order to ensure a fair and transparent review process.

#### **FDP Committee Formation and Membership**

Once the NTT faculty member holding a REA has been informed that they are subject to a mandatory NTT-FDP, the department or academic unit shall elect or assemble a FDP committee of senior faculty members for the purpose of conducting the NTT-FDP review. This committee may be a previously constituted committee, such as a departmental personnel committee or F-APR committee, with the caveat that the FDP committee membership must be elected by the departmental or unit faculty. This is an essential peer review step, providing protection against arbitrary and capricious administrative actions.

The FDP committee may be composed of tenured faculty members and promotion eligible NTT faculty members holding REA, but at a minimum the FDP committee membership must consist of at least one senior promotion eligible NTT faculty member holding a REA in the appropriate professional domain (i.e. instructional, clinical, or research domains). In the case where no promotion eligible NTT faculty members of senior rank exist in the department or college, a department or college may find a suitable alternate from another department or college within the University or consider waiving this requirement with the approval of the Office of the Provost.

#### **Creation of a PE-NTT Faculty Development Plan (NTT-FDP)**

(i). The goal of the NTT-FDP process should be directed at faculty member performance and productivity growth toward “meeting expectations.” The NTT-FDP 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 PE-NTT faculty member. The NTT-FDP must be developed collaboratively by the FDP committee, unit supervisor, and PE-NTT faculty member. The NTT-FDP development and full approval process must be completed by the nearest

business day to May 15. The final NTT-FDP, with agreement indicated through a recorded vote of the FDP committee, and approval by the unit supervisor and dean, must be forwarded to the Provost (or designee) to receive final approval. The NTT-FDP shall, at a minimum, include the following elements:

(a) a detailed description of the specific steps or actions to be undertaken by the PE-NTT faculty member relative to remediating their performance during the NTT-FDP timeframe;

(b) a list of explicit outcomes and/or success metrics that the faculty member must meet to successfully complete the terms of the NTT-FDP;

(c) specific deadlines for completion of individual remediation steps or actions required during the NTT-FDP and a final date by which the NTT-FDP must be fully completed, which should be no later than November 15 (as the overall timeline for executing the NTT-FDP should not exceed the current calendar year);

(d) identification of resources that the PE-NTT faculty member might reasonably need to successfully remediate the identified performance deficits;

(e) a requirement that the PE-NTT faculty member receive formal written feedback from their unit supervisor regarding their progress toward successful completion of their NTT-FDP at each of the specific deadlines in the NTT-FDP.

(ii). Once reviewed and approved by the Provost (or designee), a copy of the final approved NTT-FDP will be transmitted to the PE-NTT faculty member by the nearest business day to May 15. The PE-NTT faculty member is required to acknowledge that they fully understand the terms and conditions of their approved NTT-FDP by returning a signed copy to the Provost (or designee), their unit supervisor, and the dean within 7 calendar days. Failure by the faculty member to acknowledge may result in the PE-NTT faculty member being subject to disciplinary action based on neglect of their professional responsibilities as described in the current UH Faculty Handbook and/or UH Board of Regents Policies.

(iii). PE-NTT faculty members are expected to fully participate and comply with the terms of their approved NTT-FDP. Willful non-compliance (defined as intentional failure or refusal to comply or participate) by the PE-NTT faculty member with the terms of an approved NTT-FDP, as well as failure to cooperate in jointly developing the NTT-FDP, may result in the PE-NTT faculty member being subject to disciplinary action based on neglect of their professional responsibilities as described in the current UH Faculty Handbook and/or UH Board of Regents Policies.

#### Requests to Change the Terms and Conditions of an Ongoing NTT-FDP

- (i). A change to an ongoing approved NTT-FDP may be allowable for circumstances beyond the control of the PE-NTT faculty member or the FDP committee. If a NTT-FDP change is needed due to the faculty member's circumstances, the PE-NTT faculty member is required to submit the request to the FDP committee and provide relevant documentary evidence supporting their request. Where

such documentary evidence involves protected personal information, the determination of whether FML or an ADA modification is necessary is handled consistent with university policy and not by the FDP committee. That determination would be provided to the FDP committee for further decisions on proposed modification, if warranted. The FDP committee shall review PE-NTT faculty member-initiated change requests. Before making any NTT-FDP changes, the FDP committee shall seek review and approval from the unit supervisor, dean, and Provost (or designee) for PE-NTT faculty member-initiated change requests, as well as change requests due to other non-faculty-initiated circumstances.

#### Review of a Fully Completed NTT-FDP

- (i). Report: The PE-NTT faculty member shall prepare a written final NTT-FDP outcomes report detailing how they believe they have met the specific terms, conditions, and required outcomes of their approved NTT-FDP, which shall be submitted to the unit supervisor by the final date set to fully complete the NTT-FDP, but no later than the nearest business day to November 15.
- (ii). Unit supervisor review: The unit supervisor will review the PE-NTT faculty member's NTT-FDP outcomes report and prepare an independent written evaluation concerning whether the PE-NTT faculty member has met the terms of their approved NTT-FDP. This evaluation, along with copies of the approved NTT-FDP, the PE-NTT faculty member's final NTT-FDP outcomes report, and all written feedback provided by the unit supervisor to the PE-NTT faculty member during the course of their NTT-FDP, will be transmitted to the chair of the FDP committee and the PE-NTT faculty member no later than 7 calendar days after the unit supervisor received the NTT-FDP outcomes report from the PE-NTT faculty member.
- (iii). FDP committee review: The FDP committee shall conduct an independent review of the NTT-FDP materials and prepare a final written recommendation and vote tally indicating whether the PE-NTT faculty member has successfully completed their approved NTT-FDP. This recommendation will be submitted to the dean and copied to the PE-NTT faculty member and unit supervisor within 7 calendar days of the FDP committee receiving the NTT-FDP materials from the unit supervisor. If, for whatever reason, the FDP committee has lost any of its original members by the time a NTT-FDP is completed and submitted for review, before the FDP committee begins its review, the unit supervisor shall select eligible replacement faculty members from existing elected committees to serve on the FDP committee.
- (iv). Dean and Provost/designee review: After review by the dean, all NTT-FDP materials and review recommendations from the unit supervisor, FDP committee, and dean will be sent to the Provost (or designee) for final review and decision. In all cases, the faculty member will be copied on the recommendations at each level.

#### Disposition of a Fully Completed NTT-FDP Process

- (i). The Provost (or designee) will conduct an independent review of all written materials related to the NTT-FDP process, including the completed NTT-FDP materials, the FDP committee's final recommendation, and the unit administrator's and dean's approval or dissenting opinions regarding those final recommendations. After review, the Provost (or designee) will decide whether the NTT-FDP process was conducted appropriately and whether the PE-NTT faculty member successfully

completed the terms and conditions of their NTT-FDP. The Provost (or designee) will transmit their decision via email to the PE-NTT faculty member, the unit administrator, the chair of the FDP committee, and the dean within 7 calendar days of the Provost (or designee) receiving the NTT-FDP materials for review.

- (ii). If the decision of the Provost (or designee) is that the NTT-FDP process was conducted appropriately and that the PE-NTT faculty member successfully met the terms and conditions of their approved NTT-FDP, the PE-NTT faculty member will immediately revert to the typical level of annual performance review required under departmental and university F-APR policies. In the first year following the successful completion of the NTT-FDP process, the F-APR review will utilize the NTT-FDP materials, including all recommendation and decision letters for the domain(s) addressed in the NTT-FDP. Further, the PE-NTT faculty member will revert to an REA, if they qualify (e.g., if their position is base-funded).
- (iii). If the decision of the Provost (or designee) is that the NTT-FDP process was conducted appropriately, but the PE-NTT faculty member failed to meet the terms and conditions of their approved NTT-FDP, the PE-NTT faculty member will be subject to a process for termination for cause 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](#).

#### Process for Discontinuing the NTT-FDP Process

- (i). During any stage of an ongoing NTT-FDP process, the PE-NTT faculty member may choose to resign from their position at the University and the University may not be required to continue the NTT-FDP process.

#### Disputes

Unresolvable disputes must be rapidly directed to the Provost (or designee) who will provide resolutions for such disputes.