

CLINICIAN EDUCATOR POLICIES

Approved by Faculty: 02/17/2005

FACULTY REVIEWS

This policy is adopted from and adds to the language in the UNM Faculty Handbook. The Faculty Handbook is the authority on all matters covered by this policy.

INTRODUCTION

One of the most important responsibilities of senior faculty (Associate and Full Professors) and department chairs is their participation in the procedures for formal review of colleagues. It is a fundamental principle that, when a faculty member's academic performance and qualifications are reviewed, the process is to be conducted objectively by their peers and the faculty are guaranteed due process as set forth in this Policy and in the UNM Faculty Handbook. There are four principal types of review of Clinician Educator Faculty Members: (1) the annual review of Assistant Professors, (2) the formal third-year reviews of Assistant Professors, (3) the review for advancement in rank (promotion), and (4) the annual review of Clinician Educator senior faculty members with rolling contracts. Formal third-year and promotion reviews, in contrast to annual reviews, necessarily involve evaluation of performance at three levels: department, school, and the University (i.e., Office of the Executive Vice President for Health Sciences (EVPHS)).

ANNUAL REVIEW OF ASSISTANT PROFESSORS

Purpose

The purpose of the annual review of an Assistant Professor is to provide the faculty member written information about his or her performance in the department, identifying both strengths and weaknesses. The review entails cumulative evaluation of the faculty member's achievements and progress toward advancement in rank.

Timetable

The annual review for each Assistant Professor must be initiated and completed by the department chair during the first quarter of each calendar year. An annual review will not be conducted during the calendar year designated for formal third-year or promotion reviews.

Procedures

The annual review is conducted by the department chair, in consultation with at least the senior members in the department and, where appropriate, with any other faculty who are well acquainted with the faculty member's work.

In preparation for the annual review, the faculty member shall assemble a file including:

- curriculum vitae
- teaching evaluations, and other materials reflecting on teaching performance
- copies of scholarly works completed or submitted during the previous year and other materials reflecting on scholarly work
- statement of self evaluation based upon goals set for the previous year
- statement setting goals for the coming year

As part of the review, the chair shall review the faculty member's assembled file and obtain written evaluations of the member's performance from at least those senior members of the department who are best acquainted with the faculty member's work. Whether all senior faculty members of the department will be required to participate in the annual reviews and whether peer evaluations of teaching are to be included in the review shall be matters of consistent departmental policy and not decided on a case-by-case basis. If peer evaluations of teaching are to be included, the chair shall arrange for the faculty member's teaching to be observed. The evaluation of all components (teaching, scholarly work, patient care and service, and personal characteristics and professionalism) shall be summarized by the chair in the written annual review provided to the faculty member. If earlier reviews have identified specific deficiencies, special attention should be paid to the progress made toward remedying them. The chair shall discuss each annual review report with the faculty member before the end of the first quarter of the calendar year. The faculty member shall acknowledge receipt of the report and may provide a written response. This report and any response shall be filed with the department and school.

GENERAL SEQUENCE AND PROCEDURES FOR FORMAL THIRD-YEAR AND PROMOTION REVIEWS

Departmental Review and Recommendations

The department chair, in consultation with at least the senior members of the department, conducts a formal review of the faculty member's achievements in teaching, scholarly work, service, and personal characteristics and professionalism. The criteria are presented in the Clinician Educator Appointment and Promotion Guidelines and in the Tenure and Promotion Standards Guidelines of the SOM. This review shall take account of the annual reviews of the faculty member. Senior members of the department are expected to submit written evaluations of the candidate and indicate either a positive or negative formal third-year or promotion recommendation.

The chair shall prepare a report that is included in the member's dossier. The report shall summarize the faculty evaluations of the candidate, external letters (if required), teaching evaluations and other documented evidence. Information acquired from interviews shall be summarized in writing and verified by the interviewee prior to inclusion in the dossier. The chair includes his or her personal observations and evaluation and, based upon documented information, the chair makes a positive or negative recommendation.

Each third year review will include an explicit statement whether the Assistant Professor and chair (and division chief where applicable) intend for the faculty member to be a candidate for

promotion to Associate Professor within the next three years. If there is agreement that the faculty member will be a candidate for promotion, the third year review should include specific goals that will prepare the Assistant Professor to meet the criteria for promotion. Each subsequent annual review should include an assessment and plan to achieve the goals specified in the third year review. If instead there is agreement that promotion within the next three years is not a goal for the faculty member, the third year review should include a statement explaining why this decision has been made. The faculty member will remain on annual reviews. After the minimum time in rank of six years, the faculty member may notify the chair that they wish to apply for promotion.

The chair shall discuss the review and recommendation with the faculty member. Thereafter, the department chair shall forward the candidate's dossier, written documentation of the department's review, including copies of all evaluations received from faculty members, any external evaluations, and the chair's report and recommendation to the dean of the SOM. At the same time, the faculty member shall be advised in writing whether the recommendation is positive or negative. If the recommendation is negative, a copy of the chair's report, the internal peer reviews and external letters (all redacted as necessary to preserve confidentiality), if requested by the candidate, shall be furnished to the candidate. The recommended date for notifying the faculty member shall be April 15.

Review by the Dean

The SOM dean shall review the candidate's dossier and the chair's recommendation and shall provide a written assessment and recommendation for promotion, continuation (formal third-year review), or promotion. The dean shall normally abide by the chair's recommendation. The dean shall forward the assessment and recommendation together with the entire dossier to the office of the EVPHS. If the dean's recommendation is negative, or conflicts with the chair's recommendation, a copy of the dean's letter (redacted as necessary to preserve confidentiality) shall be provided to the candidate and the department chair. In a case where the dean decides not to follow the chair's recommendation, the chair shall have 10 working days to present an appeal to the EVPHS.

Review and Decision by the EVPHS

The EVPHS reviews the faculty member's dossier and the recommendations of the chair and dean. The final decision shall be made by the EVPHS. If the EVPHS considers not following a recommendation in which the dean and the chair have concurred (or if there is a conflict in the recommendations made by these officers), the EVPHS shall immediately, and in writing, inform the faculty member and the officers involved in the decision and include a written statement of reasons. The faculty member and the officers involved have 10 working days to present their views to the EVPHS before the EVPHS makes a final decision.

The EVPHS provides written notification of the decision to the faculty member no later than June 30 of the review year, exercising the personnel authority of the Regents delegated by them for this purpose. In the case of formal third-year reviews, if the decision by the EVPHS is

negative, a terminal contract is issued for the following year. If a negative decision is not made by June 30, the faculty member is entitled to an additional terminal year contract. In the case of a negative promotion decision, the Assistant Professor and the department chair will be notified in writing no later than June 30 of the review year. The notification letter will contain specific reason for non-promotion and will suggest areas in need of improvement.

Negative Recommendations

If at any level of review, the recommendation is negative, the faculty member shall be given a copy of the negative recommendation and may request a copy of all other reports, recommendations and internal peer reviews and external letters (all redacted as necessary to preserve confidentiality). The faculty member shall have 10 working days after receipt of such materials, if requested, to present his/her views to the next level of review before the next recommendation, or the final decision, is made. In addition, if the EVPHS makes a negative decision, the faculty member may request reconsideration by the EVPHS. Such request shall be made in writing by July 15. The EVPHS shall respond within 10 working days of receiving the request.

Appeal to the Academic Freedom and Tenure Committee or President

The faculty member may appeal the final decision by the EVPHS to the Academic Freedom and Tenure Committee on grounds that the formal third-year or promotion review involved academic freedom violations, improper considerations or prejudicial violation of the Policy procedures (Faculty Handbook, Sec. 6). The faculty member may appeal a negative decision to the President on any other grounds.

GENERAL POLICIES RELATING TO FACULTY REVIEWS

These policies are stated in Section 4.4 of the UNM Faculty Handbook.

Discontinuance of Clinician Educator Assistant Professor Appointment

Assistant Professors serve on annual contracts. A decision as to whether the contract will be renewed is made as the result of a review of the faculty member's performance. This performance review will usually be the annual performance review or the Formal Third Year Review. However, if necessitated by circumstances, performance reviews may be scheduled at other times and may occur more frequently than once per year. In case of a recommendation of non-renewal made at a point other than at the scheduled third-year review, the faculty member must be notified immediately in writing by the chair, who shall include a statement of the reasons. This recommendation, and any response of the faculty member, shall be reviewed by the dean. The dean's recommendation is forwarded to the office of the EVPHS and the final decision is made by the EVPHS. The faculty member shall have 10 working days from receipt of the chair's recommendation and statement of reasons to respond for consideration by the dean. The faculty member shall also have 10 working days from receipt of the dean's recommendation to

respond for consideration by the EVPHS. The faculty member whose appointment is to be discontinued is entitled to the following notice periods and terminal contract requirement:

Notification of the decision of the EVPHS to discontinue a Clinician Educator Assistant Professor must be given to the faculty member by March 31 of the first year of appointment, Dec. 15 of the second year of appointment, and June 30 of the third and subsequent years of appointment. Clinician Educator Assistant Professors notified in their third or subsequent years of their discontinuation are offered a one-year terminal contract. See below for rules governing the termination of a faculty contract during the contract period. Recommended dates for notification of the faculty member by the chair are outlined in the attached table.

	Recommended date for chair to notify faculty
Year 1 (sample for hire January 1-December 31, 2000)	February 15, 2001
Year 2	November 1, 2001
Year 3	April 15, 2003

UNIVERSITY-INITIATED TERMINATION OF CONTRACT OF A CLINICIAN EDUCATOR ASSISTANT PROFESSOR

The University has the discretion whether or not to renew the annual contract of Clinician Educator Assistant Professors.

Under the extraordinary circumstances and with proof of adequate cause as outlined in Sec. 5.3.2 of the UNM Faculty Handbook, an annual contract may be terminated before its expiration and/or without regard for the notice periods or terminal contract requirements set forth in this Policy. A decision to terminate the contract of a Clinician Educator Assistant Professor under these circumstances shall be made by the EVPHS after recommendations by the chair and the dean. At each administrative level, the faculty member shall be fully informed in writing of the reasons proposed for such termination and shall be given an adequate opportunity to respond in writing and/or orally to the EVPHS prior to the final decision. The faculty member shall have the right to appeal a termination decision by the EVPHS to the Academic Freedom and Tenure Committee on grounds within the Committee's jurisdiction (Faculty Handbook, Sec. 6.2); however, such appeal shall not postpone the date of termination.

SENIOR CLINICIAN-EDUCATOR PERFORMANCE-REVIEW POLICY AND PROCEDURES ("ROLLING CONTRACT" POLICY)

Section 1. General Principles. The following procedures are implemented to enhance the job security of faculty who have been promoted to associate professor in the Clinician Educator (CE) track. These procedures are based on the historical fact that the SOM originally proposed that the CE track should lead to tenure and should be parallel and equal to the tenure (scholar) track in every way possible. Despite the fact that the Faculty Senate declined to approve the CE track as a

tenure-granting track, it remains the intention of the SOM to guarantee, to the maximum extent possible, the same degree of economic security to faculty in the two tracks. Further, promotion to associate professor in the CE track expresses the institutional belief that the performance of the faculty member is excellent in the two areas of clinical care and teaching; it is unreasonable to think that the SOM would seek to dismiss a faculty member whose performance in these two areas has been judged to be excellent, unless the performance subsequently deteriorates or fiscal exigencies or program elimination make it necessary to reduce faculty size. These causes can lead to dismissal of faculty in either track.

Section 2. General Policy. Following promotion to associate professor, every faculty member in the CE track will participate in an annual review that is identical to the annual review required of tenured faculty, based on the performance criteria defined in the Post-Tenure Review policy of the SOM. Each satisfactory annual review will lead to a three-year appointment. Faculty whose performance in teaching and clinical care remains satisfactory will thus continually be in year one of a three-year appointment.

Section 3. Procedures and Timetable. In the event that the annual review immediately following a satisfactory one is less than satisfactory the faculty member will be issued a two-year appointment. The specific details that led to the unsatisfactory review and a plan for remediation will be discussed and agreed to by the faculty member, the appropriate chairperson, and the Dean. If the next annual review is satisfactory, the faculty member will be issued a three-year appointment. If problems persist, however, and the next annual review is still unsatisfactory, the faculty member will be issued a one-year appointment and a performance review similar to the mid-probationary review described in the UNM Faculty Handbook will be conducted within 60 days. This review will follow the procedures specified for the “more complete review” described in UNM Policy on Post-Tenure Review, except that senior faculty (Associate Professors and Professors) will conduct the review; they may be from either the CE or the tenure track. If this review finds that the faculty member’s performance is satisfactory, and if this finding is agreed to by the Dean, the faculty member will be issued a three-year appointment to replace the one-year appointment under which he/she is currently employed. If, on the other hand, the review finds that there has been a significant decline in performance since the last satisfactory annual review, a specific program of remediation, with a definite timetable and a method of evaluation of progress, will be agreed to by the faculty member, the appropriate chairperson, and the Dean. If the remediation program is successful and the next annual review is satisfactory, and agreed to by the Dean, the faculty member will be given a three-year appointment. However, if the remediation program is unsuccessful and the next annual review is unsatisfactory in the opinion of the chairperson and the Dean, the faculty member will be dismissed at the end of the current contract year; thus, if remediation efforts are unsuccessful, the second contract year following the initial unsatisfactory annual review will be the terminal contract year. The dismissal must be based on evidence that the faculty member's performance is now typically unsatisfactory. The dismissal will be effective at the termination of the current one-year contract, which will therefore be a terminal contract.

Section 4. Relationship of this Policy to UNM Faculty Handbook. Nothing in this policy is intended to affect the procedures specified in the Faculty Handbook for disciplining or

dismissing a faculty member for adequate cause, or the rights specified in the Handbook of all faculty members to academic freedom and to procedural due process. All faculty rights stated in the Post-Tenure Review policy, including the right of appeal and the right to initiate the mid-probationary style review, are incorporated by reference in this policy.

Section 5. Faculty Hired Initially into the Senior Ranks. Clinician Educator faculty hired initially at the rank of Associate Professor or Professor will be issued a provisional appointment for usually no less than one nor more than three years, the specific term to be determined in each case by the Dean upon recommendation of the hiring department. For faculty hired between Jan. 1 and June 30, the term of the provisional appointment will be extended up to six months. During the term of the provisional appointment the faculty member and the SOM will be subject to the Clinician Educator Policy, i.e., to the same policies that apply to Assistant Professors in the Clinician Educator Track. By April 15 of the final year of the provisional period the Chair of the Department, after consultation with at least the senior faculty in the department, will recommend in writing to the Dean whether to issue a non-provisional Senior CE Faculty appointment covered by the policies defined above, or a one-year terminal contract. The faculty member will be informed in writing of the Dean's decision by March 31 of the same year.

CLINICIAN EDUCATOR - LEAVE FROM ASSIGNED DUTIES

Leave from Assigned Duties allows the department chair, school dean, and health sciences center vice president the flexibility to allow a faculty member to participate in an educational experience with paid leave. The faculty member will receive the same contract salary and benefits while on this approved leave. The funding for this leave will be the responsibility of the faculty member's department. An Ad Hoc Committee to review requests is established by SOM Dean. Generally, eligibility for this leave should be based on the department chair's assessment of the benefit to the faculty member, the department, the school, and the university.

1. The principle of leave from assigned duties has been approved by the School of Medicine Committee of Chairs, the Dean of the School of Medicine, the Provost, and UNM Legal Counsel as a basic policy. Its main purpose is to encourage professional growth and increased competence among faculty members by subsidizing scholarly activities or some other program of study which is judged to be of equivalent value.
2. The plan provides for flexibility for leave from assigned duties under certain conditions enumerated below. It is understood, however, that such leave will not be granted automatically upon the expiration of the necessary period of service. Rather, the faculty member shall present, as part of the application, evidence of recent job responsibilities which directly relate to the faculty member's duties. The planned leave shall give reasonable promise of accomplishing the major purpose of the leave, cited in item (1) above. Leave from assigned duties will not be granted to subsidize graduate work or work on advanced degrees.
3. Leave from assigned duties will be approved only with the clear understanding that the faculty member will, at the completion of the leave, return to the University for a period of service at least as long as the duration of the leave.

4. As a general rule, the faculty of the department concerned will be expected to absorb the job duties of the individual on leave, and the department chair shall present with each recommendation for leave a statement of the planning in this regard.
5. To avoid adverse effects on the educational and patient care objectives of the individual departments, the administration finds it necessary to place a practicable limit on the number of leaves granted in any one department for any period of time. Leaves from assigned duties will be granted according to the following criteria:
 - A. The funding for this leave will be the responsibility of the faculty member's department, therefore, the department chair must assess the fiscal and work load impacts that such a leave would have on the department. Approval is contingent upon adequate departmental resources.
 - B. Normally the number of concurrent leaves from assigned duties in any one department shall not exceed one-seventh (1/7) of the eligible clinician educators of the department (rounded to the next higher whole number) or one-tenth of the budgeted FTE clinician educator faculty members (rounded to the next higher whole number), whichever is larger.
 - C. The number of concurrent leaves from assigned duties in any department may be held below the maximum permitted in paragraph 5(b) if in the judgment of the chair, dean, and the Vice President for Health Sciences such restriction is necessary in order that the program of the department not be adversely affected.
 - D. The number of concurrent leaves (both sabbatical and leave from assigned duties) in any department may exceed the normal maximum only if in the judgment of the Department Chair, Dean of the School of Medicine, and Vice President for Health Sciences extraordinary circumstances warrant it.
6. Other conditions having been fulfilled, it is general practice that requests for leave be considered on the basis of length of service.
7. Approval of Application: Primary responsibility for determining the merit of a proposed program from the point of view of the validity of the program and the probable value of the program to the faculty member and to the University lies in the department and should be accomplished by a departmental committee. The department chair shall forward to the dean the departmental evaluation together with the chair's recommendation and a statement as to how the teaching and service obligations of the department will be achieved in the event the proposal is approved. The dean shall verify that the applicant is eligible for the proposed leave and that provisions of this policy have been properly followed. The dean, with the advice of a school-wide faculty committee, shall then evaluate the proposal both on its merits and on its effect on the operation of the school. The dean shall then send the departmental and School of Medicine recommendations to the Vice President for Health Sciences for final review and approval.
8. Eligibility Requirements: Leave from assigned duties applies only to faculty who hold the clinician educator title. This leave is available to any clinical educator faculty member with at least six years of service and holds at least the rank of Associate Professor. The maximum length of leave from assigned duties shall be six months with no reduction in annual contract salary for full time faculty members. Leave from assigned duties will be prorated for part time faculty for faculty members at 0.5 FTE or greater. The prorating can be calculated by 1) prorating the length of time to application for the Leave with

eligibility for the maximum time or 2) meeting the minimum time in service, the time of leave can be prorated.

9. Time toward each new leave from assigned duties begins immediately after return to service
10. Leave from assigned duties is counted toward retirement. While a person is on leave, the University will continue to pay its share toward retirement, group insurance, and Social Security benefits.
11. Faculty do not accrue annual leave while on leave from assigned duties.
12. Upon returning to the University, every faculty member granted leave from assigned duties shall submit promptly to their department chair, dean, and vice president, a full report of the work undertaken during the period of the leave. The report submitted shall be deposited in the faculty member's personnel file.