

## Document XXXV

### REMEDATION PROCEDURES FOR UL LAFAYETTE PERSONNEL WITH ANNUAL PERFORMANCE EVALUATION SCORES OF TWO (2) OR BELOW

#### Preamble

In compliance with the University of Louisiana System Policy and Procedures mandate that remediation be initiated for any faculty member who receives an “unsatisfactory” evaluation in two consecutive years or in three years out of five, the University of Louisiana at Lafayette adopted the following policy in February 20X3. The policy was formulated and approved by the Faculty Senate and was approved by the Provost/Vice President for Academic Affairs and the University President.

The UL Lafayette Remediation Process is based on the Annual Performance Evaluation system currently used at UL Lafayette. The remediation process is based on AAUP guidelines and is separate from the University’s current processes for mediation and faculty grievance. The policy is not retroactive. A copy of this Remediation Process document is included in the *Faculty Handbook*.

#### The Remediation Process

After the affected party has received official notice of his or her second consecutive (or third in five years) overall score of two (2) or below on the Annual Performance Evaluation (which usually occurs in August or early September of the following year), the following remediation process is launched.

The affected person has two full evaluation cycles (three calendar years) to improve his or her evaluation status to a rating two (2) or above. A “full evaluation cycle” is the period between the time a faculty member submits his or her Annual Performance Evaluation for the previous calendar year to the evaluating authority (usually department or unit head in January of a particular calendar year) and the time that the faculty member is notified of his or her “official” evaluation category (i.e. the document signed by the Provost/Vice President for Academic Affairs, Dean, and Department head or equivalent authority and usually disseminated in August or September of the same calendar year).

The remediation process consists of 5 steps.

#### Step 1:

Within one month of the faculty member receiving official notification of a second consecutive evaluation score of two (2) or below (or the third in five years) (usually in August or September of a calendar year) his or her dean or equivalent authority must appoint an ad hoc Remediation Committee (RC), which has the task of compiling a Remediation Plan (RP) in consultation with all parties, if possible. The RC must inform the affected person, in writing, of the stipulations of the RP at least three weeks before the end of the fall semester.

If the affected person persistently objects to the makeup of the committee appointed by the dean or equivalent authority, or with its RP, the Provost/Academic VP should then appoint a RC, and, if necessary, formulate and impose an RP (see Step 4 below).

The RC will normally consist of from 3 to 5 tenured faculty members, the majority of whom are from the affected person’s department/unit, but at least one of whom is an outside, but voting, member.

It is not the task of the RC to determine whether or not the Score of two (2) or below assigned the affected party are justified, nor is the RC free to argue that no remediation is necessary. The RC may only be cited in subsequent actions as having arranged, reviewed, and, finally, ruled on the success of the remediation process. Any determination that remediation has or has not been

“successful” must not be construed to imply that the RC endorses the ascription of a score of two (2) or below at any point.

If the affected party is willing to participate in the remediation process, go to Step two (2); if not, go to Step 4.

**Step two (2):**

Within one month of its appointment, (usually October) the RC must compose a written RP consisting of specific, explicit statements from the evaluation authorities who assigned the score of two (2) or below about the precise actions that the affected person needs to take before the end of the next two full evaluation cycles in order to be considered “remediated.” To enable the RC to perform its duties, the affected person, department head, dean, and/or other evaluating authority shall provide the RC with all of the relevant information it requests, including copies of current and past annual performance evaluations, student evaluations, proof of research, and public service.

The RP document must be clear, precise, and practicable, and it must be understood that there can be no “moving the goal posts” after the RP has been approved by the RC. The RC must ensure that the RP contains only requirements that are considered appropriate according to AAUP guidelines (appended).

**Step 3:**

Once a RP has been formulated by the RC (but no later than six weeks before the end of the fall semester), each of the concerned parties (affected person, department head, dean, Provost/Vice President for Academic Affairs) must be supplied with a written copy of the RP by the RC. The affected person then has three working days to comment on the RP to the RC.

Ideally, both the evaluating authority and the affected person should sign the RP document to acknowledge its contents. Signing the RP does NOT necessarily imply that the affected person agrees with his or her evaluations or with the RP. It only acknowledges that he or she fully understands what actions the evaluators require him or her to take to be considered successfully remediated. The RP must clearly state that the affected person has two, full, evaluation cycles to improve his or her status; that is, to get an evaluation other two (2) or above.

**Step 4:**

If the affected party is unwilling to actively participate in the remediation process at this initial stage, the Dean or unit head must inform the Provost/Academic VP (and other parties) as soon as possible, but at least five weeks before the end of the fall semester.

After consulting with all parties (but at least three weeks before the end of the fall semester), the Provost/Academic VP must then formulate his or her own RP and inform all parties, including the chair of the RC, of its stipulations in writing.

**Step 5:**

Reviews: Each year, before the affected party's Annual Performance Evaluation has been forwarded by the department/unit to the next relevant authority (usually a dean, in January or February), the RC will meet and review the affected person's progress based on the annual performance evaluation that will be forwarded from the department.

The RC reviews the progress of the remediation process three times.

- (1) The first review occurs at the end of the 'interim' year, when, if the affected person has received an Annual Performance Evaluation of an evaluation scores two (2) or above the process ends. If, however, the affected person receives an evaluation score of two (2) or below in this interim year, the RC does not make a report.
- (2) The second review occurs after the first full evaluation cycle.

- (3) If necessary, the RC conducts an additional review after the second, and final, full evaluation cycle.

In the last two reviews the RC determines whether or not remediation has been accomplished and issues a report. If the affected person has been awarded an evaluation score other than two (2) or above in any of these reviews, remediation is deemed to have been successful and the process ends.

Note, again, that the remediation process concludes if, as the result of any one of the three February reviews, the affected person is awarded Annual Performance Evaluation better than or equal to four (4) by the evaluating authority or if the RC deems that, the person had met the conditions of the RP. This does not become official until notification is given in August or September.

The RC's report must be affixed to the affected party's Annual Performance Evaluation before it is forwarded from the department to the relevant authority, and copies of the report must be sent to the affected person, relevant dean/unit head, and Academic VP. The RC must explicitly state in its report whether or not the affected person has met the terms of the RP, and, if the conditions of the RP have not been met, the specific deficiencies must be cited in the report.

#### **Step 6:**

If, after the final review, the affected party is determined by the RC not to have met the conditions of the RP, the university president may wish to institute the UL Lafayette dismissal for cause procedure against him or her. This may be done without reference to or at any time during the procedures described in the above policy.

#### **Illustrative Narrative Time line for Remediation Process 20X2-20X5)**

For the sake of illustration let's assume that the affected person receives a second (or third in five years) official Annual Performance Evaluation two (2) or below in August 20X2. This reflects his or her Annual Performance Evaluation score for the calendar year (CY) 20X1.

We see that in the case of a person who has received two Annual Performance Evaluation two (2) or below (and who is NOT successful in remediation) the process from official notification of second Annual Performance Evaluation two (2) or below to termination of the full, official, remediation process extends from **August 20X2 until August 20X5**.

**August 20X2:** Affected person officially receives notice of second consecutive Annual Performance Evaluation two (2) or below, or third in five years. The year evaluated in the Annual Performance Evaluation was 20X1.

**August - Dec. 20X2:** Remediation Committee appointed by Dean, Remediation Plan formulated by RC and agreed to by faculty member (or imposed upon faculty member).

**January 20X3:** Remediation clock begins ticking: Affected party submits Annual Performance Evaluation for 20X2 in January or February 20X3. RC reviews the Annual Performance Evaluation in February 20X3, before it leaves department. If Annual Performance Evaluation 20X1 is better than or equal to four (4) then remediation process concludes (at least temporarily). If the Annual Performance Evaluation is below a, no report is made by the RC. The remediation process continues.

Note that the remediation process concludes if, at any one of the three February reviews, the affected person is awarded Annual Performance Evaluation better than or equal to four (4), or the RC finds that the RP has been achieved, although this does not become official until notification is given in August or September.

**August 20X3:** (interim year): Official announcement of Annual Performance Evaluation for 20X2.

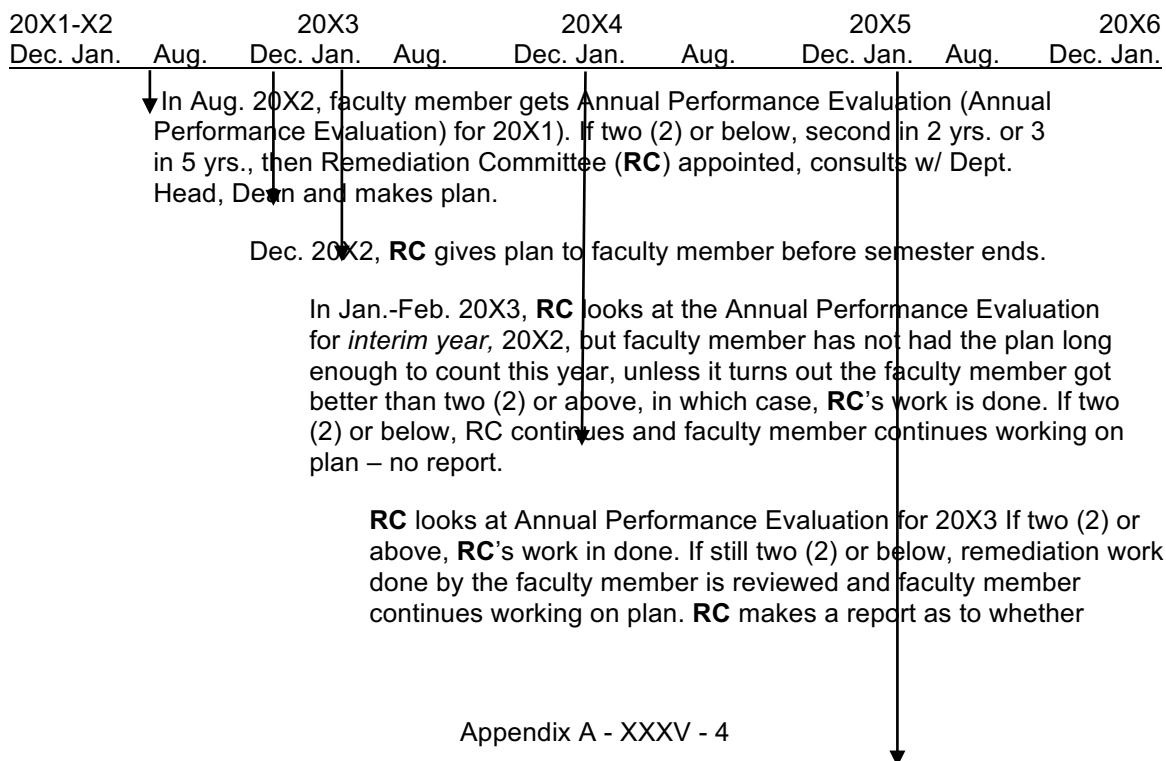
**January-February 20X4:** Affected party submits Annual Performance Evaluation for 20X3 in January or February 20X4. RC reviews the Annual Performance Evaluation in February 20X4, before it leaves department. If Annual Performance Evaluation 20X2 is better than or equal to four (4) then remediation process concludes (at least temporarily). If Annual Performance Evaluation 20X3 two (2) or below then the RC reviews the work of the faculty member on the RP for the past year, 20X3. The RC makes a report that is attached to the Annual Performance Evaluation before the Annual Performance Evaluation is sent forward to the dean and Academic V.P. The RC sends a copy of the report to the faculty member. If the RC decides that the RP has been achieved, the remediation process ends. If the RC decides that the RP has not been achieved, remediation process continues. The faculty member's notification of non-achievement must be specific as to the deficiencies.

**August of 20X4:** Official Annual Performance Evaluation Announcement for January-Dec. 20X3. This is the first of two full CYs evaluated while RP is in effect. Has been reviewed by RC in February 20X4, before it leaves department. If Annual Performance Evaluation 20X3 is better than or equal to four (4) then remediation process terminates (at least temporarily). If Annual Performance Evaluation 20X3 two (2) or below then remediation process continues.

**February 20X5:** RC evaluates Annual Performance Evaluation for 20X4 in light of RP and reports on review to evaluating authorities. The RC should determine whether remediation has been successful, regardless of the Annual Performance Evaluation score awarded by the department. The RC's report on remediation should be attached to affect person's Annual Performance Evaluation 20X4 before it is forwarded to Dean and Academic VP, and sent to the faculty member. At this point, the RC's work terminates.

**August of 20X5:** Official Annual Performance Evaluation Announcement for January-Dec. 20X4, (second full year of RP) if Annual Performance Evaluation 20X4 is better than or equal to four (4) then remediation process concludes successfully. (But all parties have known this since February 20X5). If Annual Performance Evaluation 20X4 two (2) or below, remediation process (as determined by the RC) concludes unsuccessfully. Further action, if any, may be taken by University authorities.

**Graphic Time Line**



remediation has been achieved, which is attached to the Annual Performance Evaluation before it is forwarded to Dean and Academic V.P., and also sends report to faculty member. If the RC believes the faculty member has achieved remediation, the remediation process ends. If the RC believes the faculty member has not achieved remediation, the remediation process continues. The faculty member is given specifics as to his/her deficiencies in achieving the RP.

**RC** looks at Annual Performance Evaluation **for** 20X4. If better two (2) or above, **RC**'s work is done. If still two (2) or below, RC makes a report to the President as to whether remediation has been achieved, which is attached to the Annual Performance Evaluation before it is forwarded to the Dean and Academic V.P., and also sends this report to the faculty member. Remediation ends.

The faculty member who makes below a two (2) on his/her Annual Performance Evaluation (two (2) or below in two years or a third two (2) or below in five years) for the year 20X1 has from January 20X2 until August of 20X5 to remedy the problem.

