Post-Tenure Review Policy
University of Virginia School of Law

A review of all Law School faculty members will be conducted annually, although more thorough reviews will take place every two or three years as set out below. The criteria on which these evaluations will be based include teaching, research, and other service to the community, the nation, and the University. Annual reviews of untenured faculty, tenure-track and otherwise, have been developed and addressed previously. This policy deals with reviews of tenured faculty members.

The central component of evaluation of tenured faculty will continue to be the Dean's annual review. Among other things, the Dean will consider (1) written student evaluations of each faculty member's classes; (2) information about service provided through each faculty member's required annual report of activities; (3) scholarship and other evidence of research produced by each faculty member. Inasmuch as the Dean will almost surely be unable to review all the work produced by all members of the faculty, the expectation is that the Dean will sample this work. The Dean will also consider information from other sources as it may become available as well as information about each faculty member's contributions to the Law School.

On (what will normally be) a biannual basis, the Dean will be assisted in these reviews by a committee of law school faculty appointed by the Dean. This Chairs Advisory Committee has met for some years now to advise the Dean on the award of Endowed Chairs, Research Chairs, and Teaching Chairs. The advisory committee's role will now be increased somewhat in order to improve and broaden the scope of post-tenure review. The committee will familiarize itself with the recent scholarship of all post-tenure faculty members. It may be asked to explore in some depth the work that the Dean has not been able to review or evaluate personally. It will also familiarize itself with evaluations of the teaching performance of post-tenure faculty. It may be useful to rename this Chairs Advisory Committee, the Teaching and Research Advisory Committee.

The Dean will use these reviews in formulating salary recommendations and in developing recommendations for individual faculty members. Specifically, it is anticipated that these reviews

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1 Most faculty members distribute course evaluation forms, although such distribution has been voluntary. The post-tenure review process anticipates that unless special circumstances intervene, all faculty will invite evaluations in all courses. If a year goes by in which for some reason evaluation forms have not been received, the Dean's office may send questionnaires to a selected or random sample of students in order to provide the necessary feedback.

2 Although this is framed as a biannual procedure with one committee, the Dean may choose to divide the faculty in half and to ask a committee to meet each year in order to review half the faculty in each year. From the perspective of any given faculty member, there is still an annual review by the Dean and a biannual committee review. From the perspective of the Dean and the committee, however, there would be less work to do but at more frequent intervals.
will lead to the recommendation of a given number of faculty for teaching chairs and research chairs. A faculty member who has been awarded one of these chairs normally occupies it for a period of three years. There are currently twenty such chairs and forty-eight tenured faculty members. Faculty members who have just completed a term as a holder of a research or teaching chair are not normally reappointed to one of these chairs but they are of course eligible for such a chair in subsequent cycles. The advisory committee will also assist the Dean in reviewing the performance of tenured faculty who may be ineligible for (or at least unable to receive the financial emoluments, or in some cases the teaching load reductions, associated with) these chairs because they enjoy other sources of funding or make other plans (such as teaching or grant-related activities) for the summer.

If an eligible faculty member does not earn a research or teaching chair over three review cycles, the Dean will pay special attention to that faculty member’s plans and performance. Typically, the Dean will ask the advisory committee to read that faculty member’s work with special care and with an eye toward formulating suggestions regarding future work. Similarly, the Dean may ask the committee to visit that faculty member’s classes and to help develop suggestions for improvement. The Dean will then meet with the faculty member and discuss performance, institutional needs and expectations, and concrete plans for improvement. The next annual review of that faculty member will then follow up on these plans. While it is anticipated that such a focussed review will generate constructive introspection and improvement, it is understood that a failure by the faculty member to take constructive steps will have effects on salary. If a subsequent annual review reveals a persistent problem in the opinion of the Dean (and the Advisory Committee, if the Dean seeks its counsel at this point), then the substance of the criticism shall be made available in writing to the candidate. And, under University guidelines, a serious pattern of failure to perform as one’s position requires can—after full review and consultation with the Provost—lead to other sanctions, including suspension.

The Dean may also, from time to time, seek an outside consultant who will aid the Dean in considering the scholarly and teaching contributions of faculty members. Such an outside consultant will be especially appropriate where a faculty member faces sanctions for failure to perform as expected, and where that faculty member objects to the expectation or takes issue with the Dean and the advisory committee’s evaluations. An outside consultant would likely be asked to sample the work of an array of faculty members in order to provide some feedback to the Dean on the horizontal equity of the post-tenure review process.

Tenured faculty members who hold teaching or research chairs, or who have been awarded such chairs in the immediately-preceding review cycles, will, of course, continue to file annual reports with the Dean, who will also review student evaluations and other fresh evidence of teaching, research, and service. The Dean may ask such a faculty member (as is the case with any faculty member) to permit colleagues or an outside consultant to attend classes in order to provide feedback about teaching performance or about the faculty evaluation process in the Law School as a whole.

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3 A faculty member may hold this kind of *temporary* chair concurrently with a permanent endowed chair.
Summary

1. Annual faculty reports, published work, and teaching evaluations are the basis of annual reviews by the Dean of the Law School.

2. An expanded role for the Teaching and Research Advisory Committee (previously known as the Chairs Advisory Committee) which meets every two years (approximately) and reviews scholarship and teaching as directed by Dean.\(^4\)

3. Formulating constructive suggestions for faculty who do not earn research or teaching chairs over several cycles of consideration.

4. Persistent problems to be addressed by the Dean in writing.

5. Possibility of occasional, outside consultant with respect to both teaching and research.

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\(^4\)This committee might become a more permanent fixture, asked to review a portion of the tenured faculty each year. See note 2.