

MUSC-Wide Faculty Input on the Interim Provost's Proposed Revision of Faculty Handbook Section 6.05 (1)

March 2017

This issue was thoroughly discussed and rejected by the Senate three years ago and again in March 2016. Several non-Senate faculty participated in those discussions and made impassioned arguments. If we change to a majority of effort, we may simply end up shifting the fight to effort distribution, i.e. if a Chair says I'm 60% something, I will fight to get it below 50%. How big is the problem of unproductive tenured faculty anyway? A better solution is to re-purpose faculty towards teaching or administration and also provide genuine resources to help get them funded. Extramural funding is at an all-time high at MUSC, with significant increase this fiscal year; there is potential there. The current mentality of recruiting and then leaving people to wither on the vine does not make sense. It's obvious that many new recruits to MUSC suffer declines in extramural funding soon after arriving. Perhaps we should be looking at problems with the MUSC environment, rather than beating up people without funding.

I fundamentally don't support the suggested change in PTR and my vote is NO. While the addendum may clarify when it would be triggered, it's window dressing.

We need a good way to evaluate provosts and chairs and demote or fire them if they fail to recover performance from their lowest performing tenured faculty. They must support and recover faculty who fall behind in the rat race of grant funding, using well-planned mechanisms for direction switch and support for success. If their honest attempts to support faculty for 4-5 years fail, they can always resort to PTR. However, when they just add demands and create an environment to ensure failure, the investigator is blamed and punishment starts. Policing becomes simpler by taking away any semblance of support through the turbulent middle to upper middle stages of development. Without chairs being made accountable for faculty development in some way, the change in language is meaningless, as it will be used by the ruthless to destroy tenured faculty who have given up so much to attain this level of success. Chairs keep talking about how they need to help the young to succeed. Of course that sounds great and everyone, including targeted faculty, want to support the young. However, this constitutes discrimination against older faculty, who are given no support at all, except for some space to exist. Demands that their hard-won grants have to cover 75% of salary have additionally undermined their ability to perform optimally in this competitive world. When funds drop for any reason, they are not provided any support except crazy internal competitive schemes that need data to be produced from thin air.

My first major comment is to add a fourth addendum to Dr. Saladin's revision:

- d) A Performance Improvement Plan (PIP) has not been in place for at least two years. The PIP will be mutually agreed on by the Chair and the faculty member, and along with performance goals will also specify the resources to be made available.

My second major comment has to do with the limited congruence between effort and its funding level. The final determinant will be the bottom line, and a faculty member can be very productive, but may not be able to fully fund their effort. Then what? For example, if the faculty member keeps publishing even without grant funding, this does not get the Department off the hook. Or if the faculty member

teaches very well, but the teaching \$\$ are not enough?

Rating faculty according to their actual activity in research, education, professional development is logical and realistic. Putting faculty into a general construct that gives equal weight to each category (education, research, service and career development) is not a realistic evaluation and protects faculty that are unsatisfactory in an activity that is actually majority of their job. For example, as occurs in some basic science departments in the CoM, a faculty member may be 75% research, performs unsatisfactorily in research and career development, but their evaluation is buffered by the 25% effort of average performance in education and service.

There are ~400 COM faculty members whose sole terminal degree is a PhD. Some of them have clinical responsibilities that generate RVUs, making them less dependent on extramural research funding for their salary. The remaining faculty (>300) are those most affected by the proposed revision from "majority of categories" to "majority of total effort". Their "Research/Scholarly Activity" evaluation category is set by their Chairs at 60% effort and up. At a time when NIH funding success means a score on average at the 10th percentile or better, these faculty are vulnerable to an "inadequate" rating by Chairs who see funding success as the sole criterion for an "adequate" rating in that category. Under the revised wording, an "inadequate" rating in that one category could incur contract non-renewal for tenure-track faculty, and trigger a full post tenure review for tenured faculty. These existential outcomes discriminate against a sub-set of faculty who, unlike their clinical peers who compete for a local pool of "customers" to fuel their RVUs, must compete against the best in the nation for increasingly scarce research dollars. In the interests of faculty equity, and in the interest of protecting tenure, which underpins the intellectual freedom of faculty to advance MUSC's research, teaching and service missions, a formula should be sought that is acceptable to both affected faculty and administration. That formula may be found by breaking down the COM "Research/Scholarly Activity" category into individually-evaluated sub-categories. That way, actual acquisition of funding would be one component of the category, and not be its sole evaluation determinant.

I just wanted to email you directly and let you know that our Department in the College of (de-identified) does NOT support the proposed revision of Section 6.05 (1) to the faculty handbook surrounding post tenure review (this was a unanimous vote). Our faculty senators can answer any questions you may have but we feel that the new wording is not necessary and would be of detriment to the university as a whole. Another department in our College feels similarly.

This proposed change will harm the university because it will force individuals to be more selfish. Our current system of categories rightfully reflects the multifaceted responsibilities of tenured faculty. When you achieve tenure, you carry a new responsibility for the people around you and the institution as a whole. You serve on committees etc and perhaps most importantly, you spend time mentoring others. If we move to a majority of effort system, people will naturally focus their energies on what constitutes the majority of their effort to ensure a good evaluation every year, i.e. the bottom line. Researchers will focus **only** on research, teachers will focus **only** on teaching and the less glamorous, but vital grunt work that is part of the lifeblood of a university will go by the wayside. A good example of this is the University strategic plan that is consuming a lot of faculty time. Another is teaching in the College of Graduate Studies, which in our system, is voluntary. Chairs are keen on this change for obvious reasons

(it devalues tenure), but they may want to consider unintended consequences that negatively impact the functioning of their departments.

The argument that faculty should be evaluated according to their majority of effort makes apparent sense, but overlooks certain realities. By definition, tenure-track faculty aspire to tenure, which they can acquire only by demonstrating excellence across several categories of effort, not just one that is their majority of effort. If Saladin's revision is implemented, vulnerable faculty will simply disagree with a distribution of effort percentages that exposes them to "inadequacy" in categories that represent a majority of their total effort. Because the faculty handbook requires that the faculty member and the supervisor mutually agree to any change in effort distribution, the result will be filing of numerous grievances.

But a more worrying reality is that the proposed revision is driven not by the goal of faculty development and excellence, but by chairs' determination to terminate tenured faculty so that their departments don't collapse under funds flow. Instead of protesting the fiscal imperatives that threaten their colleagues, chairs disingenuously tamper with wording in the Faculty Handbook, an easier target than well-heeled accountants and enterprise "visionaries".

This note is to indicate that the basic science chairs unanimously support Dr. Saladin's proposed revision of Section 6.05 (1) to the faculty handbook surrounding post tenure review that is currently being discussed by the Faculty Senate. Although we do not believe that the current proposal goes far enough, we believe that the proposed handbook changes provide for a more realistic and equitable evaluation of faculty based on their specific responsibilities - rather than the current situation which seems to be founded in an idealized and outdated academic description where everyone does equal amounts of teaching, service, research, and/or clinical activity. The current practice leads to poor alignment and is unfair to some faculty.

I have concern over the letter sent to Dr. Helke from the basic science chairs. Technically (according to the COM [website](#)), there are seven basic science departments, including the Dept. of Public Health Sciences (DPHS). The letter refers to 'unanimous' support by the COM basic science department chairs, and yet Dr. Vena's signature is notably absent. This seems to misrepresent DPHS, and those not carefully reading the letter may misconstrue that DPHS is onboard with this decision. However, we do not know if Dr. Vena is in support of the handbook revision (he may be opposed, or perhaps he was simply not invited to join in the letter). In addition, while the opinion of the chairs may be of interest to faculty, the faculty senate is in place to represent faculty members in situations in which the best interests of the department chairs may be in opposition to those of faculty members. Thus, this letter should not be given very strong consideration in the Faculty Senate vote.

This note is to indicate that the clinical chairs unanimously support Dr. Saladin's proposed revision of Section 6.05 (1) to the faculty handbook surrounding post tenure review that is currently being discussed by the Faculty Senate. We agree that evaluating faculty members based on what they actually do is not only highly appropriate, but is fair and reasonable. It is highly inappropriate to evaluate faculty members on areas that do not reflect the thrust of their specific job description. This practice leads to

poor alignment between goals, expectations, and funding. Thank you and please do not hesitate to ask any of us for further information.

I believe the newly proposed system is no better than the old system. For example, if a faculty member had 85 % effort in one category and 5% in each of three other categories, under the old system they could overcome an unsatisfactory rating in the 85 % category with satisfactory ratings in the three minor categories. However, they could not overcome an unsatisfactory rating in the minor categories with a satisfactory rating in the 85 % category. Under the new system, the situation is reversed. I don't think this is any better. An option to correct this would be to give the faculty member the choice of the old or the new system.

Frankly, with some of the new hospital funding models coming, I'm not worried about faculty staying at MUSC long enough to worry about tenure. The discussion is mostly about clinical faculty and cuts to nonclinical (administrative) responsibilities. For example, emergency medicine is facing a 70% cut to such physician roles as toxicology, EMS, ultrasound, Epic support, scheduling, simulation, ethics, etc. Other services are also facing significant cuts, including sections of Medicine, Neurology, ICU, Pediatrics and Surgery.

The double negative in the sentence preceding the a), b) and c) addenda confuses me. Perhaps that is an error? Or maybe I just don't get it. For example, this seems to say that if a contract has NOT been signed, then this condition has NOT been met, which then means that there will NOT be a post-tenure review. So, if a faculty member doesn't want a post-tenure review then they should not sign their contract. Which means they will not have a contract, so they essentially removed themselves from the faculty. Sorry, still not getting it. Also, must all three conditions be met - or just one?

Is there a typo in the first sentence of the paragraph following the highlight? A double negative?

Our Department is opposed to the revisions that will weight evaluation criteria based on percent effort: *"If a faculty member is rated as below satisfactory in categories that represent the majority of the faculty member's total effort, s/he will receive an "inadequate" overall evaluation on the three-point scale."* My understanding is that the College of Medicine is concerned about dealing with faculty who are no longer active in research and teaching. In some cases, these inactive faculty members have not been evaluated for years. The proposed changes would address this problem by giving department chairs a means to reallocate percent effort such that inactive faculty could not attain a satisfactory rating. For example, if a research-inactive faculty member were assigned a 51% effort in research, they would be unlikely to attain a satisfactory rating.

The wording in the (revision) above is ambiguous, and incorrectly assumes that faculty performance can be quantified. I believe the new policy could be abused by chairs to arbitrarily trigger post-tenure reviews for targeted faculty. These abuses already occur in the current system, and the proposed changes would facilitate them. Annual review is intended to emphasize faculty responsibilities, to assess accomplishments and to set goals and expectations for the upcoming year. It is not intended to be used as a means to penalize or manipulate faculty.

The problem in medicine exists in part because the COM does not consistently apply a standardized system for annual evaluation of faculty. Some faculty do not receive evaluations, and in many cases where evaluations do take place, there is no written documentation of the outcome. The proposed changes to the annual evaluation process would not be any more effective in motivating inactive faculty than the current system, since unsatisfactory evaluations in either system would trigger a post-tenure review and development of a 2-year improvement plan.

It makes no sense to create additional anxiety over annual faculty evaluation for the entire university when the problem can easily be solved within the COM using the current guidelines. Our College has a standard system and form for annual evaluation, and closely monitors the performance of all faculty members. Because this system is consistently applied each year, it discourages faculty from reducing their efforts and attaining unsatisfactory evaluations. When faculty under perform in one or more of the 5 areas, their goals are adjusted to increase their performance level. We have been very successful using the current system, and as such, I hope the proposed changes to section 6.05 are not approved.

I doubt that the Board of Trustees will try to stuff something down our throat that we strongly oppose. I think they know what they are doing. The opposition to the amendment proposed by the administration, I hope, is voted down as before by a lop-sided vote against it. Since no changes can be made to faculty evaluation, tenure and contract without the Senate approval, a no vote should suffice. If any one on the other side ignores the rule (namely Senate's approval), that could lead to a lawsuit that I think we will win.

The Senate should demonstrate solidarity with the faculty they represent by voting down this revision. Please keep in mind that the change in wording is a prelude to watering down tenure as happened at the University of Wisconsin and Univ. of Iowa. Many good faculty have left the place. Now they call the University of Wisconsin policy as promoting "FAKE TENURE".

Unless I am missing something, the current version better protects the faculty. So I would ask you to vote NO

The most troubling aspect (of the revision) is that the concept of majority of effort was originally set by fiat by Dean Reves of the College of Medicine. Modifications of the contract below the unrealistic goal set by the chair were non-negotiable. The COM dictated that department chairs must require all faculty to secure between 55%->85% of their salary extramurally, depending not on a faculty member's duties, but rather what the Dean, the finance committee and chair set as the metric for the department. While this may be possible in an RVU-based system, such an approach is extremely challenging to basic science faculty especially as we move into uncertain times.

As an unintended consequence, (the revision) will generate an atmosphere were young successful faculty simply churn through MUSC consuming limited resources to secure their next position. The University culture that was fostered at our institution will now collapse and the University that so many worked so hard to build will devolve into a small Accountable Care Organization, providing limited clinical trials that will struggle to survive given the under-resourced capitation care model that South

Carolina will embrace.

The proposed revision has the cart before the horse. Given that contractual effort is set in stone by fiat by the Dean's Office, what is the point of any remediation plan? Absent resources and programs to solicit, and without sufficient resources to generate a fundable grant, why submit a proposal that's destined to fail? With pay-lines hovering at ~10%, the predilection of study sections to fund 'young investigators', and the NIH looking at capping the salary offset faculty may receive, what is the likelihood that MUSC can sustain the proposed strategy beyond the near term? Tragically, the proposed language eliminates any incentive to foster the collaborative culture that was once a given on this campus. Instead it incentivizes a culture that rewards individualistic 'me centric' behavior, given the metrics that the Provost's and Dean's Office subscribed to without realizing the consequences of their actions.

OK, you say that the 3 conditions in the revised wording "ostensibly constrain the PTR trigger". I don't agree. Condition a) already applies because faculty are regularly required to sign contracts with non-negotiable effort distributions mandated by their chairs and division chiefs. Condition b) is also moot because all colleges already have faculty evaluation forms, some better than others, that have been in place for at least a year. As for condition c), most colleges already have a standardized process for faculty evaluations that has been distributed to all College faculty. So in fact the 3 conditions do not make a post-tenure review trigger less likely than before. In fact the new overall wording makes full post-tenure review much more likely, not in the best interest of tenured faculty. Our interests are best served by a NO vote.

We are the senators in our Department. Our chair organized a brief discussion of the PTR issue at a recent faculty meeting (we had also presented the issue before) and suggested that we should have a faculty vote and have us follow the vote to represent the dept accurately. The vote was conducted online after the meeting, and the vote was split – with the majority in favor of the change as proposed by Dr. Saladin. We (the two senators) discussed over email and agreed that we could split our votes – one in favor and one against. Any thoughts? Just keeping you updated.

I have carefully looked at both the historical documents and the changes suggested. Being a tenured faculty member, and having received tenure in two institutions (UNC Chapel Hill and MUSC), from my point of view this policy is very important. It is essential that all faculty is protected from capricious termination (tenured and untenured).

However, it is also important that we do not retain for years, faculty who do not "pull their weight" because their skills and knowledge are outdated or irrelevant to the current research funders so that they can no longer win grants, and/or their performance has deteriorated and they perform poorly in the major areas for which they get paid.

When this happens it is detrimental to both MUSC and to THE REST OF THE FACULTY who are the ones who have to make up for the work that this individual cannot, or does not perform.

In the rare cases that this happens (and I believe that they are very rare at MUSC, but they were not "rare enough" for my taste at UNC 18 years ago), such a "drone" could take up a precious faculty

position (and funds) that would otherwise be available to hire young faculty who are looking for positions.

We need to protect faculty from capricious termination. However, I believe that the wording suggested by the Provost does that better than the wording proposed by the Faculty Senate Committee. If I was voting I would vote for “in the majority of the faculty member’s total effort”, rather than the current Faculty Handbook criterion “in the majority of applicable performance categories”.

The section in question appears reasonable to me, but I understand the concerns from some of my colleagues.

If the faculty Senate did not like the change before, I do not know what the reasoning would be to accept it now. Unless there have been significant problems noted by the Provost, I would think that what is already approved would be best.”