

EXECUTIVE ORDER

DECLARING THE NEED FOR A POST-TENURE REVIEW SYSTEM FOR ALL
COLORADO'S INSTITUTIONS OF HIGHER EDUCATION

WHEREAS, Colorado needs the provision of tenure or due process for faculty members at institutions of higher education to preserve academic freedom and ensure the ability of state-supported institutions to attract and retain high quality teaching faculty members; and

WHEREAS, I support post-tenure review and believe that Colorado's institutions of higher education should take steps to implement such review systems; and

WHEREAS, each governing board should establish a post-tenure review policy under which tenured faculty members receive a performance evaluation; and

WHEREAS, a faculty member with unsatisfactory performance may be placed on probation and may lose tenure.

NOW, THEREFORE, I, Roy Romer, Governor of the State of Colorado, under the authority vested in me by the Constitution and laws of the State of Colorado, DO HEREBY ORDER THAT:

1. The governing board for each state-supported institution of higher education shall adopt a post-tenure review policy for periodic review of all tenured faculty members employed by the institution.
2. Post-tenure performance reviews shall be designed both to evaluate a faculty member's level of performance and to assist the faculty member in improving his or her performance. Under the post-tenure review policy, each tenured faculty member shall receive a performance review at least once every five years.
3. Each institution should have clearly defined goals for the post-tenure review process.
4. In measuring a faculty member's performance, the performance review shall include, but shall not be limited to, consideration of peer and student evaluations.
5. Standards for measuring faculty performance must be clearly stated, linked to the statutory role and mission of the employing institution and consistently applied to all faculty members.
6. Each institution should involve tenured faculty in the development of its post-tenure review policy.
7. Each institution's post-tenure review policy shall provide that if the post-tenure review finds a faculty member's performance unsatisfactory, as defined by the institution in the post-tenure review policy, the faculty member shall be required to complete a performance improvement plan designed by the institution:
 - a. Each institution shall provide voluntary assistance to faculty members in completing their professional improvement or remediation plans.

b. Each institution shall allow a faculty member to provide input concerning the performance improvement plan. The performance improvement plan shall be imposed within 90 days after the final determination of unsatisfactory performance.

c. Based on the criteria outlined in the plan, the faculty member shall be re-evaluated after a period not to exceed three years. The performance plan shall specify the re-evaluation date.

8. Upon re-evaluation, if the faculty member fails to demonstrate satisfactory performance as determined by the criteria specified in the performance plan, the faculty member shall be subject to sanctions in keeping with institutional sanction provisions, which shall include, but not be limited to, the revocation of tenure.
9. In developing a performance improvement plan and re-evaluating a faculty member, the institution shall ensure that the faculty member receives due process, as defined in the institution's post-tenure review policy.

GIVEN under my hand and the
Executive Seal of the State of
Colorado
this 9th day of December, 1997.

Roy Romer
Governor