

Two Realities of the Teaching Performance Assessment in Higher Education: The Cases of Spain and Portugal

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Abstract

The teaching performance assessment is a priority in the Higher Education policies for quality assurance. The article offers a comparative study of the regulations and integral procedures by Spain and Portugal to ensure quality within their university systems. From an empirical point of view, the study reviews the laws and legal regulations of each country, extracting resemblance and specificity patterns. This documentary analysis allows to conclude that the assessment procedures developed are being influenced by European policies of quality assurance, betting for an assessment model that prioritizes the performance and accountability facing the institutionalization of improvement processes. This way, it is considered that a university professional requires an external assessment in order to be qualified as a quality professional and to guarantee a system according to such quality standards.

Keywords: higher education; teaching performance assessment; comparative study; Spain; Portugal.

1. Introduction

The Higher Education is facing the enormous challenge of introducing itself in a changing and complex world due to the new social and professional requirements. Different authors (Cunha, 2015; Enders, de Boer, and Westerheijden, 2011; Slauter and Leslie, 1997; Vaillant, 2016) suggest that a Higher Education with a good relation with the academic community is necessary, one that incorporates an added value to the experience of its students, that provides the adequate environment, with the appropriate curriculum, that implements a relevant research, that performs the appropriate assessment and that generates a quality management of Higher Education (Arramburuzabala, Hernández-Castilla, and Angel-Uribe, 2013; Leite, 2012; Leite and Fernandes, 2014; Mukhopadhyay, 2020; Vallejo and Molina-Saorin, 2014), at all levels and actors. It is in this changing context, where a growing concern is originated, a concern to create agents and responsible procedures that will watch for the compliance of those duties, and for that matter, the quality of these.

In the case of Higher Education, with the creation of European Higher Education Area (EHEA), began the process of establishing mechanisms that watch for the quality of the educational systems and its professionals (Dias Sobrinho, 2012; Grek, Lawn, Lingard and Varjo, 2009; Zabalza, 2008). Precisely, it would be in the meeting of Bergen in May 2005, where the European Ministers of Education agreed to approve a series of quality standards for Higher Education. According to them, the institutions must dispose of the necessary means to guarantee that its professors are qualified and competent for the performed work. Additionally, the institutions commit to ensure that the hiring processes and the appointment of contracting teachers include the means to verify that all new personnel dispose of, at least, the minimum level of competence. Allowing, therefore, the opportunity for them to develop and expand their teaching capacity, stimulating the professors of low performance for them to improve their abilities, in a way that they can reach an acceptable level. Moreover, in this meeting, the creation of means that would allow to dismiss a teacher that proves a continuous inefficiency was proposed.

This is an entire declaration of principles that clearly raises the urgency to establish evaluation policies of the teaching performance and *means to verify* a minimum or acceptable level of these skills, making decisions according to the performance levels. Moreover, the aim would be to ensure a level of professional performance significantly correlated with student performance (Zhang, 2018).

Despite these requirements, not all countries belonging to the European Union, have taken procedures or actions aiming to this objective, and if they have, these have been employed with clearly different systems, even in the same country (Bolívar, 2008).

1.2. The Teaching Performance Assessment: Controversies and Purposes

The teaching performance assessment originates in the 80's (XX century), when most of the democratic industrialized countries started to develop large reforms in the corporate and administrative public sector. It is in these years, where a new paradigm in the management originates and starts to inspire reforms in the public organisations that search for more efficient and productive services. This paradigm that is known under the name of *new public management* (Gruening, 2001; Hood, 1995), pretended to adapt techniques and management methods of the private sector and public sector. It will be in this context where the evaluation systems of the performance of workers and their consequent rewards and compensations began (according to the obtained results). In the case of the public service, these new models of performance assessment implicated ruptures in the measures of the career systems, previously established, that made the economic compensations and/or promotions depend on the service seniority.

The performance assessment is a complex construction that involves people that work in determinate contexts (with proper practices and policies); where the definition educational quality, or more concretely, who is a good teacher and what actions must he do in order to be considered one, is not unanimous but filled with controversies and difficulties. A first definition of these difficulties is established by Torrecilla (2006) that analyses the performance assessment, in Primary School, in 50 countries from Europe and America, and he covers them in five types of difficulties:

1. Conceptual difficulties, that come from the difficulty of defining quality criteria for the teaching performance.
2. Technical – methodological difficulties, related to the limits of the instruments used to obtain the information.
3. Difficulties of political nature, that affect the form in which the assessment is inserted and as a set in the educational system and in the policies of quality improvement.
4. Difficulties related to legal regulations, from which it is necessary to decide which is the most adequate legal framework to legitimize the effects, the outreach and/or the impact in the assessment, maintaining the guarantees of the person assessed.
5. And, difficulties of ethical nature, combining the privacy guarantee when being assessed and the consequent actions of that assessment.

Before that, Hadji (1995) suggested that the difficulty to assess the professors was linked to the uncertainty of the essence of teaching and the proper difficulty to define the teaching assessment. Overcoming these difficulties, authors such as Veloz (2000) define the assessment of the teacher's professional performance as:

a systematic process to obtain valid and final data, with the goal to check and value the educational impact that is produced in the students, the deployment of its pedagogical skills, emotions, occupational liability and the nature of its interpersonal relations with the students, parents, directors, colleagues and representants of the community institutions (p. 18).

Generally, and despite the noticed complexity, the processes for teaching performance assessment in Higher Education are channelled by European policies (European Council, 2013; OCDE, 2014) that influence processes in the different European countries. These policies and processes are justified as the most efficient mechanism for a quality search in Higher Education (Ristoff, 2013). However, different authors (Borden and McCormick, 2019; Murillo and Hidalgo, 2018; Tejedor and García-Valcárcel, 2010), warn of the existence of a duality in the purposes of the performance assessment: on one hand, the professional development of the professor and the improvement of the learning-teaching; and on the other hand, the summary purposes, linked to the accreditations or professional promotion/management of the teaching career. Moreover, some defend the possibility of the existence of an assessment model that allows to incorporate these two purposes (Avalos and Assael, 2006; Chow, Wong, Yeung and Mo, 2002; Day, 1999; Duque and Stiggins, 1990; Simões, 2000; Stronge, 2006).

Keeping in mind this problematic as a reference, this article answers the following questions: How is the teaching performance assessment of professors from Higher Education conducted in countries such as Spain and Portugal? Does the teaching performance assessment respond to a training aim or to a summative of accountability? With the objective to answer these questions, this article describes the assessment process establishing a comparison in the developed policies by Spain and Portugal. This comparative study allows to deduce shared patterns and specific practices, and to raise if the last purpose of the teaching performance assessment is the search for improvement of the performance or if it is simply a matter of accountability.

The election of these two countries is justified attending to the division established by Torrecilla (2006) of the countries of the EU. According to this author, there are two main factors that help to understand the differences in each educational system concerning the teaching career and the system used for the performance assessment: the educational tradition of the country and the proprietary educational necessities. These two factors allow to group the countries of the EU in two main groups: the countries from the South of Europe and the countries from Central and Eastern Europe.

2. Desing of the study

For the empirical development of this study, a largely descriptive design is used with a certain census attempt of the governing regulation of the teaching performance assessment in Spain and Portugal. The gathered information was submitted to a targeted analysis in the following categories: current regulation, responsible organisms, evaluated dimensions (teaching, investigation, knowledge transfer and management) and results and implications (in appendix I there is a summary table of the analysed documents and established categories). By analysing this information, similarities and differences are retrieved, these allow to deduce patterns of conduct linked to the quality assurance policies established by the EU.

3. Results

As already mentioned in the part concerning the design of the study, the analysis of the current legal regulation for both countries is presented according to four established categories.

3.1. Current regulation and assessment objectives

In Spain (before its adhesion to EHEA) in the University Reform Law (URL) of 1983 it was already established, according to the article 45.3, that “The University Statutes will dispose of the procedures for the periodic assessment of the teaching and scientific performance of the professors, which will be considered in the tenders,..., for the purpose of its continuity and promotion” (p.24039). While, focusing in the current regulation, the Organic Law 4/2007, of April 12th, where the Organic Law 6/2001 of December 21st is modified, of Universities (LOMLOU, 2007), and, concretely its chapter V, is dedicated to the question of Assessment and Accreditation. Specifically, in its article 31 is where the different quality assurance systems are developed indicating that the promotion and quality assurance of the Spanish universities is an essential goal of the university policy, with the objective (among others) to improve the teaching and research activity and the universities’ management. Likewise, it establishes that this objective will be fulfilled with the establishment of common criteria for the quality assurance that will facilitate the

assessment, certification, and accreditation (in this case) of the teaching activities, research and management of the university professors.

In the case of Portugal, the reform of the Public Administration starts to be implemented (in a more integral manner) starting 2005 introducing changes such as: the logic of management by objectives, major flexibility and mobility of the workers or new models of performance assessment. This way, the *Sistema Integrado de Avaliação do Desempenho da Administração Pública* (SIADAP) is created, an integrated system that contemplates the individual assessment of the workers, of the services and the leaders. This evaluative obligation is generalized to all fields, including, the educational.

For Higher Education, the Law 62/2007, of September 10th, is approved, Legal Regime of the Higher Education Institutions, which establishes in its article 2 (mission of the Higher Education) that the institutions of higher education will be in charge of evaluating the activity of its researchers, teachers and public officials (Administration and Service Personnel). Although, it will be in the Statute of the University Teaching Career, published in the Decree Law 205/2009 of August 31st, in its article 74^o A, where it refers to the teachers being subject to a constant evaluation regime of performance control to be approved by each one of the Higher Education institutions. This Decree Law was slightly modified in the law 8/2010, of May 13th.

With this Statute it is established that the performance assessment of the teachers must be sustained in a series of common principles:

- Guidance in order to improve the quality of the teachers' performance.
- Consideration of all aspects of the teacher's activity established in the article 4.
- Consideration of the specificity of each area of knowledge.
- Consideration of the assessment processes and procedures that carry to obtain the education degree and academic titles in the reporting period.
- Study of the produced reports in the period considered and in the compliance status of the career obligations and the assessment.
- Accountability for the assessment process of the highest representative of the institution.
- Carry out the assessment of the scientific bodies of the institution, through the proper means, being able to request help to external experts.
- Participation of the pedagogical bodies of the institutions.
- Regular implementation, at least, every three years.
- The assessment results, will be communicated in an announcement that will inform in a scale of four positions, clearly showing the demonstrated credit.
- Approval of the results of the performance assessment by the Higher Education Institution's Officer, which will guarantee a fair balance of the distribution of these results, according to the principal of performance differentiation.
- Previous audience forecast of the interested parties.
- Foresee the possibility to appeal at court, in general terms, the act of ratification and the decision of the complaint.

This first analysis of the existing regulation about the teaching performance assessment states that, Spain and Portugal, raise nominal differences. We observe that in the case of Spain, unlike Portugal, there does not exist any specific regulation that mentions the concept of teaching performance, although it does regulate an assessment of different duties carried out within the Higher Education.

We do observe similarities considering that both countries manifest that the main objective of this assessment is the improvement of the teaching activities or the quality of these; consequently the balance would be leaning to the training position, instead of the accountability (Mullen and Johnson, 2006; Afonso, 2009; Fullan, Rincón-Gallardo and Hargreaves, 2015). On the other side, this study can conclude that the assessment processes rely on the compliance of the teaching and research responsibilities and mainly their degree of achievement. Secondly, the knowledge transfer and academic management duties would be relegated. In the case of Spain this last function is explicit, in the general regulation; in the case of Portugal it is not the same, where, for example, the Statute of University Teaching Career talks about other relevant activities for Higher Education.

Likewise, it is decided that the university institutions will guarantee the accomplishment of the academic responsibilities. We furthermore discuss, in the case of Portugal, each university, faculty and university institute will specify the general regulation of the assessment process. Something similar occurred in Spain with the autonomous communities that have their own assessment and accreditation.

3.2. Managing authorities

When we wonder about the managing authorities responsible of conducting the performance assessment, the case of Spain is different (due to the transfer of educational competence in each autonomous community). This makes some autonomous communities have their own assessment and accreditation agency. These communities would be: Catalonia with the Quality Agency of the University System (AQU), the Balearic Islands with the University Quality Agency (AQUIB), the Canary Islands with the Agency for University Quality Assessment and Accreditation (ACECAU), Andalusia with the Agency for Quality Assurance and Accreditation (UCUA), Castilla-León with the Agency for the Quality of the Educational University System, Galicia with the Agency for the Quality of the University System (ACSUG), the Valencian Community with the Valencian Commission of Accreditation and Quality Assessment, the Basque Country with The Agency of Quality Evaluation and Accreditation of the Basque University System and Aragon with the Agency for Quality and University Prospective.

The rest of the autonomous communities are ruled by the regulation and assessment procedures of the National Quality Assessment and Accreditation Agency (ANECA). Some of the autonomous agencies, previously mentioned take as a reference the rules and criteria established by the ANECA. For this reason, the present article will take as reference the assessment programs developed by this last agency, ANECA.

Portugal also has its national assessment and accreditation agency for Higher Education; *A3ES-Agência de Avaliação e Acreditação do Ensino Superior*. In this case, it is a unique agency that competes in all the country. Its mission is to guarantee the quality of the Higher Education, through the assessment and accreditation of the institutions of Higher Education and the study cycles; participating, also, in the assessment of the internal systems that guarantee the quality. *A3ES* does not carry out an assessment of the college professors' teaching performance like the ANECA does; it only evaluates the performance of the teachers (in a collateral manner), when it does an assessment or accreditation of the titles and university institutions. Therefore, and as we have mentioned, it will be each Portuguese University who will elaborate an individual assessment of the teaching performance that will specify the procedures and criteria of the contemplated evaluation in the ECDU. Subsequently, the schools and universities will specify, in a third level of concreteness, and arbitrate the procedures and criteria through its scientific and pedagogical councils, for the implementation of this assessment.

This way, in Portugal, the teaching performance assessment is in the hands of each university institution, allowing a larger contextualization of the assessment process. This aspect is considered positive in the sense that the peculiarities of the different scientific fields are present in the process of performance assessment. In Spain, as we will see further along, this contextualization is very vague, assessing the university professors in five branches of knowledge (Science, Health Sciences, Arts and Humanities, Social and Legal Sciences, Engineering and Architecture).

3.3. Evaluated dimensions

Attending the assessed dimensions, the first conclusion that can be drawn is that these dimensions or assessed duties are very similar. This finding is logical in a certain way, due to the duties developed by the college professors in the EU which are mainly focused on education and investigation. Even though, there are large differences in the systematization and establishment of evaluation criteria.

In the case of Spain, despite the change in the regulation that was recently published in the Royal Decree 415/2015 (that modifies the current Royal Decree 1312/2007, of October 5th, where the national accreditation for the access to university teaching bodies is established), the university duties that must be assessed are listed in the programmes PEP and ACADEMIA of ANECA. These programmes' function is not only to assess the teaching performance, but also to accredit them for their career promotion. Such programmes value the merit and the skills of the candidate, performing a global quantification, of the following university duties:

1. *Research Experience*: evaluating in this section the quality and the diffusion of the research results, the quality and the number of projects, research contracts, the quality of the results transferred and the mobility. Lastly, a miscellaneous section of Other Merits is established, likewise, in the following sections.

2. *Teaching and Professional Activity*: where the teaching commitment is valued, the quality of the teaching activity, the quality of the teacher's training and the dedication to professional activities.
3. *Academic Background*: that contemplates the quality of the pre-doctoral studies and the quality of the postdoctoral studies.
4. *Experience in Educational Management and Administration*: In this last section the experience valued is the performance of the individual's position in the universities or research public organisms during at least one year or the performance in positions in the educational, scientific or technological environment of the General Administration of the State and the Autonomous Communities during, at least one year.

Apart from the teaching performance assessment, the university professors must reevaluate the first duties through other different independent organisms to ANECA. The first function, research, is evaluated by the National Assessment Commission of Research Activities (CNEAD). It is well known that the Commission does the investigation assessment of university teachers and personnel of the scientific scales CSIC (Spanish National Research Council) to grant the *investigation sections or the six-year cycles*. This assessment is done annually, and the researchers must provide five scientific projects for evaluation (publications) obtained during a period inferior to six years. These projects will be assessed according to specific quality criteria and different branches of knowledge.

The origin of this university research performance assessment is established in Spain, in 1989; many years before the EEES or the concern for the quality assurance systems. The six-year periods originate as a mechanism to encourage research, positively impacting an assessment in the accrual economic supplement. This supplement (along with another linked to teaching that we will discuss further along) is approved by the published Royal Decree 1086/1989 that indicates:

the rigid enforcement of the equal pay criterion by the Bodies constitutes a limit for the achievement of the basic objectives of all the remuneration system consisting in a mechanism to acknowledge the special merits in the developed activity and to incentive the exercise of these (p. 28653).

This recognition criterion in special research merits is blurred with the announcement of the Royal Decree-Law, of April 20th, concerning urgent rationalization measures of the public expenditures in the educational field. With this decree a direct relation between the research merit and teaching is set. According to it, the teaching activity commitment could vary depending on the acknowledged research activity. This is a questionable imposition in the sense that the lack of research (focused on impact rates, internalization mentions or levels) is penalised with a larger teaching load. Destabilizing the balance to the side of research and establishing that the teaching load is a punitive consequence for those that do not publish according to this criterion.

On the other hand, concerning the teaching performance assessment, another different assessment process to the one done by ANECA is established. These are known as quinquennial periods. These teaching merits are regulated as special merits by the royal decree of 1989. In this case, submitted under evaluation during a period of five years (hence its name) and the responsibility of the assessment is vested in the universities. However, since the year 2007, ANECA, started a program DOCENTIA; conceived to support universities in the mechanism designs to assess the teaching performance of their professors. According to ANECA's own data, 90% of the Spanish universities are adhered to this program. This program is governed by the structure shown in Table 1.

Table 1: Dimensions, sources and procedures of the DOCENTIA assessment. Source: authors.

DIMENSIONS TO ASSESS	SOURCES AND ASSESSMENT PROCEDURES		
	Professor	Academic Authorities	Students
Planning			
Development	Self-report	Report	Survey
Results			

In the case of Portugal, the teaching performance assessment is clearer and more specific. The ECDU, in its article 4, established that the teaching performance assessment must be done according to a series of general duties. Concretely, this refers to four sections: *Education, Research, Knowledge Transfer and University Management*. There exists a fifth, *Artistic Activity*, for the areas linked to those type of activities. Attending to each of these aspects, diverse assessment parameters are established, these are considered of quantitative and qualitative nature, being more important the former than the latter. These assessment parameters are grouped in different criteria, and these are defined as a goal that corresponds to a grade of 100 points. This way, the performance that does not reach

this goal will have a grade under these 100 points. Likewise, the educational institutions must decide percentual ranges that will be assigned to each section. For example, the University of Oporto (in its internal regulation) establishes that the limits for each section are:

- Education: minimum of 20% and maximum of 60%.
- Research: minimum of 20% and maximum of 60%. In the case of the areas related to the artistic activity, will be included in these percentual limits.
- Knowledge transfer; minimum of 0% and maximum of 30%.
- Academic management: minimum of 0% and maximum of 30%.

The case of the University of Miño is similar, since it coincides in the maximum percentages granted to each aspect. This university does not establish minimum percentages.

Finally, one last clarification would be which parameters are assessed in each section. In the *Educational* section the subjects taught (curriculum units, calls in Portugal), the number of weekly hours provided, the results of the student surveys or the participation in pedagogical or curriculum innovation.

Concerning *Research*, they consider the publications, scientific projects, supervision of doctoral thesis, obtaining the doctorate or aggregate level. The aggregate title is a proper academic title of the Portuguese universities regulated by the Decree Law 239/2007, of June 19th, that pretends to certify the specialization in a branch of knowledge, the quality of the academic and professional curriculum, the scientific and educational research capacity and the capacity to lead and carry out the scientific project in an independent manner. Although, the acquisition of this title does not suppose a promotion in the university teaching career, but it is a necessary condition in order to access the figure of University Professor.

Regarding the *Knowledge Transfer*, the valued tasks are university outreach, the scientific, cultural or artistic disclosure, the services to the scientific and educational community or the knowledge of economic and social impact.

Finally, the *Management* section will consider the participation in academic court, the management positions of the universities or the positions linked to the research organisms.

As mentioned previously, this is a detailed process for each faculty or university institute. Although, in any case, the responsible for the assessment of this task is only one person that will be an acknowledged academic and scientific member responsible for the organic unity, and he will have a superior professional category to the evaluated person. The assessment process concludes with the validation of the results from the Rector of each university.

3.4. Results and implications

What really matters in each assessment is the decision making, this being the main excuse to carry out the assessment. In this sense, when speaking of results or implications of the teaching performance assessment it is necessary to describe different procedures that bring different grades, but which main consequence is the same, meaning, practically none. The teaching performance assessments, both in Spain and Portugal, are having a limited repercussion despite the high investment in economic resources and management these involve; as well as the physical (and even emotional) exhaustion that being assessed suppose. Specifically, in the case of Spain, the positive research performance assessment (a research branch granted) involves, in addition to the resolution of the teaching load, a financial supplement. Although this supplement is only effective for figures such as Title holders or University Professors. For the rest of the teachers, there is no impact whatsoever. In the case of being granted a five-year term, this also implies, equally, a financial supplement for Title holders and University Professors.

On the other hand, in the performance assessment carried out by ANECA with the objective of the teaching accreditation, the results and implications depend on the professional profile that they want to certify. In this sense, and attending to the professional profiles, the results acquired in each one of the university duties assessed would be listed in the following table (Table 2).

Table 2. Results of the different university duties for the ANECA accreditation. Source: authors.

RESEARCH	Doctor Assistant	Maximum 60 points over 100
	Hired Doctor	Maximum 60 points over 100
	Associate Professor (Tenure)	Maximum 50 points
	University Professor	Maximum 55 points
TEACHING	Doctor Assistant	Maximum 35 points over 100
	Hired Doctor	Maximum 30 points over 100
	Associate Professor (Tenure)	Maximum 40 points
	University Professor	Maximum 35 points
KNOWLEDGE TRANSFER	Evaluated in the research function	
MANAGEMENT	Doctor Assistant (does not refer to <i>Management</i> , incorporates the section Other Merits)	Maximum 5 points over 100
	Hired Doctor (does not refer to <i>Management</i> , incorporates the section Other Merits)	Maximum 5 points over 100
	Associate Professor (Tenure)	Maximum 5 points
	University Professor	Maximum 10 points

To meet the maximum score, for the Doctor Assistant teacher accreditation it is necessary to obtain 55 points. For the accreditation of Hired Doctor, a 50 points grade among the Research and Teaching duties and 55 points in total. For the Associate Professor (Tenure), the score between Teaching and Research raises to 60 points and 65 points in total; and for University Professor, the global score is of 80 points; with at least 20 points in the education field.

Table 3. Grades for the Accreditation of Titled University Professors (RD 415/2015). Source: authors.

	<i>Research</i>	<i>Teaching</i>	<i>Professional Activity Transfer</i>	<i>Management</i>	<i>Training</i>
MINIMUM GRADE	B	B			
MINIMUM GRADE	A	C, E		B	
MINIMUM GRADE	B	C	B	B	
MINIMUM GRADE	B	C		B	B
MINIMUM GRADE	C	B	A		B

These quantitative scores, with the new regulation for the teaching accreditation of the Title Holder and University Professors profiles (RD 415/2015) – that still do not have effects- become qualitative. For that matter, this will qualify in 6 categories: A, Exceptional; B, Good; C, Compensable; D, Insufficient; E, Special Circumstance (destinated level for those teachers that have developed their career in an institution that does not belong to a university or a non-Spanish university). Attending these grades, to obtain a positive resolution for the accreditation of Titled University Professors, it will be necessary to have the following combinations. In tables 4 this information is systematized. And, in the case of the University Professor's accreditation, the combinations is systematized in table 4.

Table 4. Grades for University Professor accreditation (RD 415/2015). Source: authors.

	<i>Research</i>	<i>Teaching</i>	<i>Professional Transfer</i>	<i>Activity</i>	<i>Management</i>
MINIMUM GRADE	B	B			
MINIMUM GRADE	A	C, E			
MINIMUM GRADE	B	C	B		
MINIMUM GRADE	B	C			B
MINIMUM GRADE	C	B	A		
MINIMUM GRADE	C	B			A

Regarding the accreditation process, despite that the accreditation system for the university career has not been paralysed by the current economic crisis, the truth is that the positive assessments obtained, *de facto*, do not have a real consequence. It is well known that most of the Spanish universities maintain a minimum promotional level (replacement), therefore the promotion and the entrance to the university career is practically paralysed. This situation is posing true difficulties in the university organisation, in addition to the increase in the problem concerning the aging of the university teachers and the loss of the teaching and research quality. This is a striking reality when all the implemented policies (national and international) seek, explicitly, the contrary.

In the case of Portugal, the ECDU defines the results of the performance assessment. These results must adjust from a scale of, at least, four positions that clearly indicate the evidence or the merit (art. 74-Aj). As an example of the concreteness of this rule, the regulations of the Faculty of Engineering of the University of Oporto established that the results will be done through qualitative mentions and will go from Excellent to Inadequate (“Excellent”, “Relevant”, “Sufficient” and “Inadequate”). This qualitative assessment will be done based on the quantitative result obtained; that is to say:

- “Excellent” result when the global quantitative assessment is superior or equal to 100.
- “Relevant” result when the global quantitative assessment is superior or equal to 80 and inferior to 100.
- “Sufficient” result when the global quantitative assessment is superior or equal to 50 and inferior to 80.
- “Inadequate” result when the global quantitative assessment is inferior to 50.
- Another example is the Faculty of Educational Psychology and Sciences that poses another evaluation system. In this case:
 - The “Relevant” qualification for a global assessment between 125 and 174 points.
 - The “Sufficient” qualification for a global assessment between 75 and 124 points.
 - And the “Inadequate” qualification when the global evaluation is between 0 and 74 points.

As we can see, certain differences exist between faculties of the same University; ratifying the concreteness mentioned. Although, a common denominator of the teaching performance assessment in Portugal is that the person assessed can select an aspect he wants to grant a higher assessment percentage to (attending to the established ranges of the general regulation of its university). This meaning that, he can choose between the different university duties developed, understanding that in some moments of the professional life, there can exist a dedication to a major task and therefore a decompensation of others. A clear example would be when university teachers develop academic managing duties.

Regarding the assessment implications, currently in Portugal, there is not a direct implication related to the obtained results in the performance assessment.

The increase in the stipend associated to a favourable assessment has been paralysed, as well as the horizontal promotion in the same professional profile. On the contrary, when the performance assessment is negative

(inadequate), the teacher must carry out a plan to improve for the next academic year, presenting a concrete programme of actions to improve the obtained results according to various aspects.

4. Conclusions

The aim of this project is to illustrate the policies and actions developed to carry out one of the most questionable reforms in the Higher Education field, the performance assessment of its staff. Taking up the questions that justified this study, the conducted research concludes the existence of a clear influence in the European politics that pretends to institutionalise the quality standards. This influence, in the cases of Spain and Portugal, is clear in its normative regulation and in the belief that the assessment for teaching performance will induce improvement in the practices of the university professors.

On the other hand, despite the extended belief that the assessment models have the aim to improve the purposes linked to accreditation or to accountability systems, the regulations, and analysed practices draw different models. Models focused in the teaching quantification (number of subject, teaching load, years of experience, etc.) or the research (number of published articles, number of research projects, defended thesis, etc.) not considering the quality and the impact on the Higher Education improvement, that is to say of the university training and the knowledge transfer. Summative models that present a professional that requires an external assessment for quality assurance of its practices and the own university system.

Regarding the relation of the Higher Education and its link to the Society it has become evident that this relation is present in the teaching performance assessment procedures, although with a limited level of importance. The same occurs with the management processes and the institutional participation.

These findings make us question if the teaching performance assessment systems are the best solution for the improvement of the teaching guarantee or if, on the contrary, the only real effect that they are obtaining is the increase in bureaucratic requirements; reducing the available time to secure a responsible and good quality professional practice. Likewise, it is concerning that the teaching performance assessment is encouraging professional competitiveness, situating the professors in a scale, and reducing the possibilities of a proper collaborative work of modern science.

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Appendix 1. Analysed documents and established categories. Source: authors.

	SPAIN	PORTUGAL
Current Legislation and Objectives	<p>LOMLOU, <i>Organic Law 4/2007, of April 12th, by which the Organic Law 6/2001, of December 21st, for the Universities is modified.</i></p> <p>Title V, dedicated to the Assessment and Accreditation, in its article 31 is focused on the Quality Assurance, that suggests the objectives of: performance measurement and the activity improvement.</p>	<p>Decree Law n.º 448/79, of November 13th, that modifies the Law n.º 19/80, of July 16th, and the Decree Laws 16/83, of July 2nd; 35/85, of February 1st; 48/85, of February 25th; 243/85, of July 11th; 244/85, of July 11th; 381/85, of September 27th; 392/86, of November 22nd, by the Law n.º 6/87, of January 27th, and the Decree Laws 45/87, of March 24th; 147/88, of April 27th; 359/88, of October 13th; 412/88, of November 9th; 456/88, of December 13th; 393/89, of November 9th; 408/89, of November 18th; 388/90, of December 10th; 76/96, of June 18th; 13/97, of January 17th; 212/97, of August 16th; 252/97, of September 26th; 277/98, of September 11th; 373/99, of September 18th.</p> <p>Decree Law 205/2009, of August 31st, modified by the Law 8/2010, of May 13th.</p> <p>ECDU, in the article 74º- A, the University teaching performance assessment is developed.</p>
Managing Authorities	<p>ANECA: National Quality Assessment and Accreditation Agency.</p> <p>CNEAI, National Assessment Commission on Research Activities.</p> <p>Education: DOCENTIA (Teaching Performance Assessment Programme) (ANECA) and the own universities.</p>	<p>Universities and Faculties and University Institutions define with their own regulation.</p>
	<p>CNEAI (responsible for the assessment of research quality), granting the branches of the investigation. Specific criteria are published annually for each evaluation.</p>	<ul style="list-style-type: none"> - For each section (teaching, research, knowledge transfer, management) evaluative settings of qualitative and quantitative nature are defined. - Each institution defines the percentage assigned to each dimension (and afterwards the teacher can also indicate which is the most valuable). <p>Oporto Case: Research (20-60%). The assessment is done every three years.</p>
Evaluated Dimensions	<p>RESEARCH</p> <p>Quinquennium's (regulated by each University).</p> <p>DOCENTIA and ANECA Program (covers 90% of the universities)</p> <p>RD 1086/1989, of August 28th relative to the remunerations of University professors (B.O.E., Spanish for Official Bulletin of State which is the Official Gazette of the Government of Spain, of September 9th of 1989); Resolution of September 26th 1989, of the College Board (B.O.E. of October 5th 1989); Correction of typos of the RD 1086/1989, of August 28th (B.O.E. October 24th of 1989); Order of November 3rd 1989 (B.O.E. November 4th of 1989); Resolution of May 3rd of 1990, of the College Board (B.O.E. of May 19th of 1990); Resolution of June 20th of 1990, of the College Board (B.O.E. of June 30th of 1990); Resolution of March 8th of 1991, of the Secretary of State</p>	<p>TEACHING</p> <p>Case of Oporto U.: 20-60%. Case of Miño U.: Maximum 60%</p> <p>The assessment is done every three years.</p>

		for Universities and Research (B.O.E. of March 15 th 1991); RD 74/2000, of January 21 st (B.O.E. of January 22 nd of 2000), from which the RD 1086/1089, mentioned previously, is partially modified.
MANAGEMENT	KNOWLEDGE	There are no indicators (ANECA covers some general indicators in the programs PEP and ACADEMIA)
		Case of Oporto U.: 0-30%. Case of Miño U.: Maximum 30% The assessment is done every three years.
MANAGEMENT	KNOWLEDGE	There are no indicators. (ANECA covers some indicators in the programs PEP and ACADEMIA)
		Case of Oporto U.: 0-30%. Case of Miño U.: Maximum 30% The assessment is done every three years.

Results and Implications Economic retribution (only for civil servants).
Career Promotion (regulated by the replacement rate)

Economic retribution and promotion in the university degree (but maintaining the same professional profile) currently at a standstill.
