
UNIVERSITY OF WYOMING REGULATIONS

Subject: Post-Tenure Review
Number: UW Regulation 2-10



I. PURPOSE

The purpose of this Regulation is to reflect the University of Wyoming's commitment to promoting the continued high-quality teaching, research/scholarship/creative activity, service and outreach, and extension activities of its tenured faculty, and thereby to enhance the educational environment for its students and larger community. The primary purpose is to describe the policy and procedures for conducting Post-Tenure Review of tenured faculty.

II. DEFINITIONS

Academic Unit: The department, program, division, center, or school to which a tenured faculty member is assigned for purposes of performance evaluation and recommendations related to compensation. The "unit faculty" providing votes and rationale are those specified in UW Regulation 2-7.

Academic Unit Head: The supervisor of the Academic Unit. Academic Unit Heads, also called Unit Heads, have a variety of titles at the university, including department head, department chairperson, program director, division director, and Dean or Director of a school. The Unit Head is responsible for performance evaluation and recommendations related to compensation.

Annual Review: A formal discussion between the Unit Head and faculty member about the individual's professional development and performance. The basis for this review is an annual performance evaluation carried out by the Unit Head to evaluate the past year's performance and to review progress and achievement of goals. The annual evaluation of the faculty member is conducted by the Unit Head and is based on performance in each of the duties outlined in the faculty member's job description. A consensus of the faculty of the Academic Unit shall determine when and how peer review is incorporated into the Annual Review process for the purpose of providing advice to the Unit Head.

Below Expectations: Performance at an unacceptable level of accomplishment or competency in the job duties outlined in the job description during the time period covered by a Post-Tenure Review. For faculty members, the duties may include but are not necessarily limited to teaching, research, creative activities, service, and extension.

Extensive Review: A multi-level review process that examines a tenured faculty member's performance over a four-year period and includes peer reviews and administrator reviews. An Extensive Review shall occur when the individual receives an overall annual evaluation rating Below Expectations or when performance on one or more of the duties outlined in their job description is Below Expectations for two consecutive years or for two of the previous four years (in the same performance area) or when the goals of a Performance Improvement Agreement have not been achieved. This evaluation will be conducted in accordance with University policy and the unit's tenure and promotion procedures. At minimum, the following must be examined:

1. Academic Unit standards and expectations for performance of tenured faculty
2. Vitae
3. Job description(s)
4. Annual Reviews for previous four years
5. The Performance Improvement Agreement from the last cycle
6. Faculty member's written self-evaluation of performance
7. Peer evaluations of teaching and other multiple measures of teaching, as available
8. Evidence of service, outreach, and extension (if appropriate)
9. Evidence of research/creative work
10. An assessment of research or scholarly work may include use of reviews external to the University if either the Dean, Unit Head, or faculty member requests external reviews. When used, procedures for obtaining external reviewers shall follow the process outlined in UW Regulation 2-7.
11. Any other material submitted by the faculty member, including external letters of recommendation.

Meets Expectations: Performance consistently meets or exceeds expectations.

Performance Improvement Agreement (PIA): An agreement between the faculty member and the Unit Head completed when a performance rating in one or more areas is Below Expectations. The PIA details a plan which the faculty member and Academic Unit Head will follow to improve performance in the problem area or areas. The PIA is usually established for one year. If research deficiencies warrant a longer period, the PIA may be set for two years.

Performance Improvement Plan (PIP): A written document, developed by the faculty member and Unit Head as a result of an Extensive Review, defining specific commitments to improve the faculty member's performance in cases where it falls Below Expectations. A complete PIP includes (1) a description of the faculty member's strengths and weaknesses; (2) identification of measurable goals to overcome the weaknesses; (3) an outline of activities and timelines for achieving these goals; and (4) a description of the criteria by which the faculty member, faculty peers, Unit Head, and college Dean may assess whether the goals have been met. Consistent with the level of intellectual independence and initiative associated with a faculty career, the faculty member is responsible for developing an acceptable Performance Improvement Plan.

Post-Tenure Review: A comprehensive, formal system designed to support faculty development and to ensure professional accountability consistent with academic needs and goals of the University. While dependent on a robust Annual Review and performance evaluation process, Post-Tenure Review is separate and specifically includes the Extensive Review process.

III. POLICY

The purpose of Post-Tenure Review is to assess, recognize, develop, and enhance the performance of tenured faculty members at the University of Wyoming. Tenure is granted with the expectation of continued professional growth and ongoing productivity in research or creative activities, teaching, service, and extension. Thus, every tenured faculty member has the duty to maintain professional competence. In addition, Post-Tenure Review is intended to ensure institutional accountability and provide a process for the University to improve as an organization.

A Post-Tenure Review shall examine all duties outlined in the faculty member's job description during the period under consideration. Faculty members who fail to participate in any aspect of the Post-Tenure Review process, as required, may be subject to disciplinary action up to and including termination.

The Office of Academic Affairs shall ensure that the faculty in each Academic Unit develop and maintain a set of clearly defined standards and expectations for Post-Tenure Review evaluation. Performance expectations must make explicit the standards of the discipline and be consistent with University Regulations and policies. Deans shall assure that unit level standards and expectations are consistent with the discipline and with college and University policies. Unit Heads and Deans shall continuously and consistently communicate these performance expectations with the faculty in each Academic Unit.

IV. CONSIDERATION OF ACADEMIC FREEDOM AND TENURE

Post-Tenure Review shall be conducted in a manner that is consistent with the preservation of academic freedom. Further, Post-Tenure Review is not a mechanism for re-assessing the tenure of faculty members who hold it. Revocation of tenure is a serious matter requiring dismissal for cause, as defined in UW Regulation 2-6.

As discussed in this UW Regulation, it is possible for Post-Tenure Review, including its peer review and remedial steps, to lead to a conclusion that a faculty member's performance constitutes neglect of duty or other deficiencies identified during the review process, which are grounds for pursuing dismissal under procedures defined in UW Regulation 2-6. However, these are not the only grounds for dismissal and Post-Tenure Review is not the only pathway for determining that it is appropriate to pursue dismissal.

V. OUTCOMES OF ANNUAL REVIEW AND PIA PROCESSES

A. Annual Reviews

If a faculty member receives an overall annual evaluation rating of Meets Expectations or better and receives Meets Expectations or better on each area of performance, no further action is required.

If a faculty member receives an overall annual evaluation rating of Meets Expectations or better but receives Below Expectations in one or more areas of performance, the faculty member shall engage with their Unit Head to prepare a PIA.

If a faculty member receives an overall annual evaluation rating Below Expectations, the faculty member shall receive an Extensive Review.

If a faculty member receives Below Expectations in one or more areas of performance for two consecutive years or for two of the previous four years, the faculty member shall receive an Extensive Review.

B. Performance Improvement Agreements

If a faculty member has prepared a PIA in conjunction with their Unit Head, the evaluation of whether the PIA goals have been achieved will be conducted as part of the next Annual Review (or as specified in the PIA if the time frame is longer than one year). If the goals of the PIA are determined to have been met at the next Annual Review, the PIA is completed successfully and no further action is required.

If the goals of the PIA are not met at the next Annual Review (or at the next review specified in the PIA if the time frame is longer than one year), the faculty member shall receive an Extensive Review.

VI. PROCEDURES FOR EXTENSIVE REVIEWS

A. Notification

Faculty members will be notified in advance when an Extensive Review is required. The Unit Head will provide the faculty member the timeline for submitting the set of materials required for an Extensive Review.

B. Administrative Review

The Extensive Review process begins with an administrative review, which consists of independent evaluations of the required materials by the Unit Head and Dean. Tenured faculty members are assessed to determine, at a minimum, whether

performance Meets Expectations on each of the duties outlined in their job description. Note that the administrative review, unlike the Annual Review, is based on four years of performance materials.

C. Outcome of Administrative Review

1. If both the Unit Head and Dean determine that the faculty member is meeting expectations, then the Extensive Review is deemed completed and no further action is required.
2. If both the Unit Head and Dean have assessed the faculty member during the administrative review as performing Below Expectations on one or more job duty, a PIP will be developed to address the problematic area(s) of the faculty member's job performance.
3. If the Dean determines the Unit Head and Dean are not in agreement that performance falls Below Expectations in the Administrative Review, then the Dean shall refer the case back to the Academic Unit for peer review and the following procedures are enacted.

D. Procedures for Conflicted Administrative Evaluation or Faculty Appeal

The procedures below shall be enacted when the college Dean and Unit Head are not in agreement on the assessment from the administrative review that performance is Below Expectations for one or more job duties, or when the faculty member appeals the combined decision by both the Unit Head and Dean that performance as assessed in the Administrative Review is Below Expectations.

1. Department and College Level Review

Based on Academic Unit protocol for determining peer group, each faculty or committee member and administrator at the Academic Unit and College levels must review materials and provide, in writing, a vote of agreement or disagreement with the evaluation that performance does not Meet Expectations, specifying the reasons for his/her decision. The order of consideration shall be unit faculty, Unit Head, college tenure and promotion committee, and Dean. The written votes and comments at each level become part of the case file reviewed by subsequent committees and administrators.

2. University Level Review

Conflicted cases will be referred to the University Reappointment, Tenure and Promotion committee for additional review. Procedures will be consistent with those outlined in UW Regulation 2-7 for reappointment, tenure and promotion cases.

3. Timing of Reviews

Committee members at each level of review must vote within 30 days after receipt of the case, and individual administrators must vote within 10 days after receipt of the case file.

The purpose of the specified time lines for initiating reviews and limiting deliberations is to ensure expeditious resolution of performance review disagreements. The President of the University may authorize reasonable extensions of these guidelines under extenuating circumstances.

4. Final Determination

When this process is complete, the Provost and Vice President for Academic Affairs makes a final determination that the faculty is either meeting expectations or is performing Below Expectations. If the latter, the Provost and Vice President for Academic Affairs will instruct the faculty member and Unit Head to develop a PIP.

The Below expectations Extensive Review process can be stopped at any time upon resolution and concurrence with the Provost and Vice President for Academic Affairs by the faculty member, Unit Head or Dean.

If a discrimination or harassment charge is filed by the faculty member against the Unit Head and/or college Dean, the Below Expectations Extensive Review process continues but no final determination is implemented until the charge has been reviewed under UW Regulation 4-2.

E. Appeals

The faculty member may appeal the Unit Head and Dean's evaluation that performance falls Below Expectations (as described in VI.C.2.) and initiate proceedings according to VI.D. Notification of appeal shall be made to the Unit Head and Dean within 30 days of receiving the results of the administrative review.

VII. PERFORMANCE IMPROVEMENT PLAN (PIP)

If a PIP is the outcome of the Extensive Review, the faculty member is obligated to construct, in consultation with and approval by the Unit Head and Dean, a PIP no later than 30 days after the final decision of the Extensive Review that performance was Below Expectations has occurred. If the faculty member and Unit Head cannot agree, the PIP is referred to the Dean for approval. If the faculty member does not agree with the decision of the Dean, the faculty member may request a review by the Provost and Vice President of Academic Affairs, who may refer the case to the University Reappointment, Tenure and

Promotion committee for review. The decision of the Provost and Vice President of Academic Affairs is final.

A. Timeline

A PIP must conform to the following time limits:

1. Issues related to teaching must be resolved within two years.
2. Issues related to extension must be resolved within one year.
3. Issues related to research/creative activities must be resolved within a maximum of three years; shorter time periods are preferred if a reasonable chance of improvement is probable.
5. Issues related to service must be resolved within one semester.

B. Administrative Constraints

Once a PIP is implemented, the following administrative constraints are operative:

1. Salary increases are not available to any faculty member working under a PIP.
2. The faculty member working under a PIP cannot file a separate action under UW Regulation 2-2 related to the PIP and the Post-Tenure Review process. (Discrimination and harassment complaints under UW Regulation 4-2 can be initiated at any time during the Post-Tenure Review and PIP process.)
3. The faculty member, Unit Head, and Dean shall meet no less than once during an academic semester to review progress toward the goals stipulated in the PIP. If the time frame for PIP is one semester, the faculty member and Unit Head should meet mid-semester to review progress. The faculty member is expected to make a good faith effort to implement the goals of the PIP and administrators are expected to act in good faith when reviewing the individual's performance in terms of the goals in the PIP.

Annual performance reviews will be conducted while a faculty member is working under a PIP. If either the Unit Head or Dean concludes that the faculty member has failed to demonstrate satisfactory progress towards the goals of the PIP, then the Dean refers the case to the Academic Unit's tenure and promotion committee (or equivalent) for review and advice, and the procedures, responsibilities and guidelines detailed in VI.D. are initiated. If the result of VI.D. is failure of the faculty member to demonstrate satisfactory progress towards the goals of the PIP, and the faculty member, the Unit Head, and the Dean cannot agree to an appropriate job redefinition then the college Dean shall pursue dismissal for cause under UW Regulation 2-6.

4. No additional Extensive Reviews shall occur until the initial PIP is completed.

VIII. COMPLETION OF THE PERFORMANCE IMPROVEMENT PLAN (PIP)

When the objectives of a PIP are fully met and the timeline outlined in the PIP has expired or, in any case, no later than the timeline outlined above VI.A., the Unit Head shall provide a written report to the faculty member and the college Dean asserting one of the following conclusions:

- A. The Unit Head concludes that the faculty member has successfully completed the goals of the PIP. If the college Dean concurs with this conclusion, the faculty member is considered to be proceeding according to expectations and becomes eligible for the benefits associated with that status.
- B. If either the Unit Head or college Dean concludes that the faculty member has failed to successfully complete the goals of the PIP, the faculty member can request a review by the Provost and Vice President of Academic Affairs, whose decision will be final. If it is determined that the goals of the PIP have not been met, then the college Dean shall pursue dismissal for cause under UW Regulation 2-6.

IX. REVISIONS

As necessary, the Faculty Senate will conduct a review of the Post-Tenure Review process and formulate a recommendation to the President of the University and the Board Trustees as to the continuation, discontinuation or modification of the process.

Responsible Division/Unit: Office of the Provost and Vice President for Academic Affairs

Source: None

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms: None

History:

University Regulation 808; adopted 3/6/2009 Board of Trustees meeting

Revisions adopted 3/23/2012 Board of Trustees meeting

Revisions adopted 11/15/2013 Board of Trustees meeting

Reformatted 7/1/2018: previously UW Regulation 5-808, now UW Regulation 2-10

Revisions adopted 3/25/2021 Board of Trustees meeting