

Standard Administrative Policy and Procedure

Subject: Procedures for Implementing and Evaluating Rolling Contracts

Number:

I. PURPOSE

To describe procedures for implementing and evaluating multi-year rolling contracts

II. DEFINITIONS

Fixed-term (FT): A non-tenure track faculty appointment made for a three-year or five-year term, following a probationary period.

Fixed-term track (FTT): The pathway to a multi-year rolling contract. Non-tenure track faculty will be eligible for annual appointments during a probationary period that is normally at least three years in duration.

Rolling contract: A three-year or five-year contract that rolls forward yearly after each satisfactory (meets expectation) annual performance evaluation.

III. GENERAL PROVISIONS

Hiring and promotion procedures will follow the established University of Wyoming regulations and processes. Generally, fixed-term track (FTT) faculty will be evaluated for eligibility for a fixed-term (FT) rolling contract after serving a probationary period of three years (for Assistant or Associate rank) or five years (for Senior rank). The purpose of the probationary period is for the faculty member to exhibit mastery of major areas of the job duties and to demonstrate convincing promise for continuing professional development growth and development, accomplishment, and commitment to the mission of the University. All FTT faculty shall have their first year review after they have been employed through a fall semester.

A formal review at the end of the probationary period will determine if a fixed-term rolling contract will be granted. If granted, the multi-year, rolling contract is evaluated at the time of the annual review. Academic units may establish procedures that incorporate peer group feedback during the rolling contract reviews.

Each annual performance evaluation must address the extent to which the faculty member's performance is in line with the level of expectation for their current rank, and, if it applies, the extent to which they are making progress towards their next promotion. A copy of the annual

performance evaluation shall be maintained in the employee's personnel file and included in the packet that is reviewed for granting a fixed-term (FT) and/or promotion. The faculty member must review their performance evaluations; they have the right to make written comments, which become part of the performance review record.

All annual review letters for non-tenure track faculty (starting from academic year 2019-20 or fiscal year (FY) 2020 for academic personnel on FY calendars) will have a statement that clearly specifies the status of their rolling contract and its end date. The annual review letters will also include faculty member's progress towards promotion and rolling contract eligibility.

In the event of a bona fide financial exigency or the reduction or discontinuance of institutional programs at the University, faculty rolling contract terminations will be carried out in accordance with University Regulation 2-11 (Financial Exigency) or UW 2-13 (Academic Program Reorganization, Consolidation, Reduction and Discontinuance). Officers of the University shall not employ this provision in a manner that interferes with academic freedom.

IV. PROCEDURES FOR CONDUCTING ANNUAL PERFORMANCE REVIEWS DURING PROBATIONARY PERIOD

- A. In each academic unit, criteria for assessing performance in the annual review will be established by academic unit faculty and approved by the Unit Head, Dean, and Provost. Performance ratings shall range from "superior, exceeds expectations, meets expectations, below expectations, unsatisfactory." Criteria for each of the five levels of performance must be established for teaching, scholarship/creative activities, service, and other assigned responsibilities.
- B. If the academic unit uses peer review of performance, the unit will document how these evaluations are incorporated in the annual review. For example, units may have peer committees to advise the unit head in the annual review process and/or peer review may be required when a candidate's performance is evaluated by the department head as unsatisfactory for the second consecutive year or for the second year in a four-year period.
- C. All annual performance evaluations must be reviewed and approved by the Dean (or Director of an academic unit that reports directly to the Provost). Colleges and academic units may establish a process that incorporates peer review, including augmented committees if unit has insufficient representation. The faculty member shall have the opportunity to review and provide a response that will be included in the personnel file.
- D. An annual performance evaluation which results in a recommendation from the academic unit head or dean to *not reappoint* shall be reviewed by the Provost. The Provost may request additional review by the University Reappointment, Tenure and Promotion Committee.
- E. An annual performance evaluation in which a rating of unsatisfactory or not meeting expectations performance in any of the areas of review is determined, and the recommendation is to *reappoint*, shall state the basis for the ranking in accordance with the unit criteria. The faculty member shall have the opportunity to review and provide a response that will be included in the personnel file.

- F. A report to the Dean of unsatisfactory or below expectations performance in any of the areas of review will be accompanied by a written plan for improvement established by the faculty and the unit head.
1. Although each professional development plan is tailored to individual circumstances, the plan will include the following:
 - a. specific deficiencies to be addressed;
 - b. specific goals or outcomes necessary to remedy the deficiencies;
 - c. an outline of the activities to be undertaken to achieve the necessary outcomes;
 - d. timelines for accomplishing the activities and achieving intermediate and ultimate outcomes;
 - e. specific criteria for assessment in annual reviews of progress in the plan; and
 - f. resources to be committed by the unit in support of the plan.
 2. When the objectives of the plan have been met or the agreed timeline ends, the department head shall make a final report to the faculty member and Dean. The successful completion of the development plan is the positive outcome to which all faculty and administrators involved in the process must be committed.

V. PROCEDURES FOR FIXED-TERM REVIEW

A fixed-term review shall be conducted during the final year of the probationary period. This review will be conducted in accordance with university policy and the unit's tenure and promotion procedures. At minimum, the following materials must be examined:

- A. Academic unit standards and expectations for performance of non-tenure track faculty.
- B. Vitae
- C. Job description(s)
- D. Annual reviews for previous years, up to 4 consecutive years
- E. Faculty member's response(s) to annual reviews (if submitted)
- F. Faculty member's written self-evaluation of performance
- G. Peer evaluations of teaching and other measures of teaching, as appropriate
- H. Evidence of service, extension, outreach, and administrative duties, as appropriate
- I. Evidence of research/creative work, as appropriate
- J. Any other material submitted by the faculty member, including external letters of recommendation.

After review at the academic unit level, the Dean shall review all of the materials (including recommendations from unit colleagues and department heads) and will inform the candidate before submitting his or her recommendation directly to the Provost. Should the Dean's recommendation be to not grant a fixed-term, the faculty member may request an additional review by the college reappointment, tenure and promotion committee. All materials, including recommendations from unit and college levels shall be forwarded to the Provost, who in turn will review and make a recommendation to the President. The Provost may request additional review by the University Reappointment, Tenure and Promotion Committee. The Provost or delegate will inform the faculty member in writing the nature of his or her decision and the rationale for it.

The faculty member shall review and acknowledge having read the recommendations prior to his or her materials being forwarded at each level of review.

A faculty member not approved for fixed-term shall have the right to resign and the personnel file shall state only that he or she resigned.

All five-year FT with rolling contracts must be recommended by the President of the University, and approved by the Board of Trustees.

VI. PROCEDURES FOR ROLLING CONTRACT REVIEW

Each faculty member's multi-year, rolling contract is evaluated at the time of his/her annual review. At minimum, the annual review will be conducted by the department head, and reviewed by the dean; however, academic units and colleges may establish procedures for including peer review in the review process, including periodic comprehensive peer reviews that mirror the process for the fixed-term review (described in section V.).

The outcome of the rolling contract review may be to roll the contract forward, suspend the contract due to performance not meeting expectations, restore the contract to its original conditions, or terminate the contract.

A. Rolling the contract forward

An overall satisfactory (meet expectations) annual review will result in validating the multi-year term of the rolling contract. For example, a satisfactory performance review at the end of the first year of a three-year contract would result in the contract rolling forward one year. In this case, the faculty member would retain a three-year contract. The contract would continue to roll forward following each consecutive satisfactory performance review.

B. Suspending the contract

The rolling nature of the contract is suspended (i.e., deemed not to roll) following an unsatisfactory (or does not meet expectations) annual performance review. For example, an unsatisfactory performance review at the end of the first year of a three-year contract would result in the contract not rolling forward. In this case, the faculty member would have two years remaining on their contract.

C. Restoring the rolling contract

Following an unsatisfactory (below expectations) review, the rolling nature of the contract can be restored only after obtaining two successive years of satisfactory annual reviews where performance meets expectations. In the example of an unsatisfactory performance review at the end of the first of a three-year term, the contract does not roll forward and the faculty member has two years left on the contract. In the two remaining years of the contract, performance must be satisfactory (i.e., meets expectations). If this

occurs, the rolling contract would be restored to the original conditions (i.e., three-year rolling contract).

D. Terminating the contract

A faculty member becomes ineligible for a rolling contract following two consecutive overall unsatisfactory (below expectations) ratings, or if an overall unsatisfactory (below expectations) rating occurs on two annual evaluations within a four-year period. In all such cases, the faculty member will receive notification that the contract will not be renewed in accordance with University Regulations. The faculty member will be allowed to finish the remainder of the contract or given a 12-month notice of non-reappointment, whichever is longer.

VII. PROCEDURES FOR PROMOTION REVIEW

Non-tenure track faculty on fixed term rolling contracts will normally be considered for *promotion* after six years. However, nothing shall prevent a faculty member from seeking promotion at an earlier time. Promotion to the senior level normally requires an additional period of growth that results in a greater level of accomplishment. Upon satisfying the criteria for promotion as set forth in UW regulations and college/unit guidance documents, the individual candidate is responsible for initiating the promotion review process. Failure to receive promotion does not affect reappointment consideration.

Promotion reviews will be conducted in accordance with tenure and promotion procedures described in University Regulations and consistent with academic unit/college processes.

VIII. EVALUATION PROCEDURE FOR ALL ACADEMIC PERSONNEL ON EXTENDED TERM TRACK/APPOINTMENTS PRIOR TO JULY 1, 2019

- A. Academic personnel on an extended-term track will be moved into a probationary period as a path to fixed-term with rolling contract. Academic personnel currently in their first and second years of the probationary period will receive an annual performance review (using procedures described in section IV). All academic personnel in their fourth, fifth or sixth year of the probationary period shall be reviewed for a rolling contract during the next review period (using procedures described in section V).
- B. Academic personnel with extended-term appointments shall retain their appointment for the duration of their current term. They will retain their current designation (e.g., lecturer, research scientist, extension educator, librarian, archivist) and rank; however, the general category of ‘Academic Professional’ will be removed from position title, effective July 1, 2019.
- C. In accordance with university policy, all benefited academic personnel on extended term shall undergo annual performance review during the remainder of their current extended term. During the fifth year of the current extended-term, the faculty member shall undergo a fixed-term review (described in section V). If the outcome of the review is a

positive recommendation, faculty members at the assistant or associate rank will be moved to a 3-year rolling contract and faculty members at the senior rank will be moved to a 5-year rolling contract. If the outcome of the review is negative, the contract will not be renewed and the faculty member's last year at the University of Wyoming will be the following year (i.e., the last year of the six-year extended term).

IX. REQUESTING CHANGE IN DESIGNATION OR CONTRACT

Instructions for requesting a change in designation (e.g., Senior Lecturer to Instructional Assistant Professor) or type of contract will be provided by the Office of Academic Affairs.

In addition to fixed-term rolling contracts, non-tenure track faculty appointments may be made on an annual basis. Temporary and annual appointments are not intended to be a path to fixed-term rolling contracts.

Responsible Division/Unit: Academic Affairs

Source: None

Links:

Associated Regulations, Policies, and Forms: University Regulations 2-1, 2-7

Approved: