



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’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 University of Wyoming 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 [TSAI]academic units shall determine when and how peer review is incorporated into the annual review process for the purpose of providing advice to the Unit Head.

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

35 rating below “Meets Expectations” or when performance on one or more of the duties
36 outlined in their job description is below “Meets Expectations” for two consecutive years
37 or for two of the previous four years (in the same performance area) or when the goals of
38 a performance improvement agreement have not been achieved. This evaluation will be
39 conducted in accordance with University policy and the unit’s tenure and promotion
40 procedures. At minimum, the following must be examined:

- 41 1. Academic Unit standards and expectations for performance of tenured faculty
- 42 2. Vitae
- 43 3. Job description(s)
- 44 4. Annual reviews for previous four years
- 45 5. The PIA from the last cycle
- 46 6. Faculty member’s written self-evaluation of performance
- 47 7. Peer evaluations of teaching and other multiple measures of teaching, as
48 available
- 49 8. Evidence of service, outreach, and extension (if appropriate)
- 50 9. Evidence of research/creative work
- 51 10. An assessment of research or scholarly work may include use of reviews
52 external to the University if either the Dean, Unit Head, or faculty member
53 requests external reviews. When used, procedures for obtaining external
54 reviewers shall follow the process outlined in UW 2-7.
- 55 11. Any other material submitted by the faculty member, including external letters
56 of recommendation.

57 **Performance Below Expectations:** Performance at an unacceptable level of
58 accomplishment or competency in the job duties outlined in the job description during the
59 time period covered by a post-tenure review. For faculty members, the duties may include
60 but are not necessarily limited to teaching, research, creative activities, service, and
61 extension.

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

68 **Performance Improvement Plan (PIP):** A written document, developed by the faculty
69 member and Unit Head as a result of an Extensive Review, defining specific commitments
70 to improve the faculty member’s performance in cases where it falls below expectations.
71 A complete PIP includes (1) a description of the faculty member’s strengths and
72 weaknesses, (2) identification of measurable goals to overcome the weaknesses, (3) an
73 outline of activities and timelines for achieving these goals, and (4) a description of the

74 criteria by which the faculty member, faculty peers, Unit Head, and college Dean may
75 assess whether the goals have been met. Consistent with the level of intellectual
76 independence and initiative associated with a faculty career, the faculty member is
77 responsible for developing an acceptable performance improvement plan.

78
79 **Post-Tenure Review:** A comprehensive, formal system designed to support faculty
80 development and to ensure professional accountability consistent with academic needs and
81 goals of the University. While dependent on a robust annual review and performance
82 evaluation process, Post-Tenure Review is separate and specifically includes the Extensive
83 Review process.

84 **III. POLICY**

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

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

96 The faculty in each academic unit shall develop and maintain a set of clearly defined
97 standards and expectations for post-tenure review evaluation. Performance expectations
98 must make explicit the standards of the discipline and be consistent with University
99 Regulations and policies. Deans shall assure that unit level standards and expectations are
100 consistent with the discipline and with college and University policies.

101 **IV. CONSIDERATION OF ACADEMIC FREEDOM AND TENURE**

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

106 As discussed in this UW Regulation, it is possible for post-tenure review, including its peer
107 review and remedial steps, to lead to a conclusion that a faculty member's performance
108 constitutes neglect of duty or other deficiencies identified during the review process, which

109 are grounds for pursuing dismissal under procedures defined in UW Regulation 2-6.
110 However, these are not the only grounds for dismissal and post-tenure review is not the only
111 pathway for determining that it is appropriate to pursue dismissal.

112 **V. OUTCOMES OF ANNUAL REVIEW AND PIA PROCESSES**

113

114 **A. Annual Reviews**

115

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

119

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

124

125 If a faculty member receives an overall annual evaluation rating below "Meets
126 Expectations" or receives below "Meets Expectations" in one or more areas of
127 performance for two consecutive years or for two of the previous four years, the
128 faculty member shall receive an Extensive Review.

129

130 **B. Performance Improvement Agreements**

131

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

138

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

142

143 **VI. PROCEDURES FOR EXTENSIVE REVIEWS**

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145 **A. Notification**

146

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

150

151 **B. Administrative Review**

152
153 The Extensive Review process begins with an Administrative Review, which
154 consists of independent evaluations of the required materials by the Unit Head and
155 Dean. Tenured faculty members are assessed to determine, at a minimum, whether
156 performance meets expectations on each of the duties outlined in their job
157 description. Note that the Administrative Review, unlike the Annual Review, is
158 based on four years of performance materials.

159 **C. Outcome of Administrative Review**

- 160
161 1. If both the Unit Head and Dean determine that the faculty member is meeting
162 expectations, then the Extensive Review is deemed completed and no further
163 action is required.
- 164 2. If both the Unit Head and Dean have assessed the faculty member during the
165 Administrative Review as performing **below** expectations on one or more job
166 duty, a PIP will be developed to address the problematic area(s) of the faculty
167 member’s job performance.
- 168
169 3. If the Dean determines the Unit Head and Dean are not in agreement that
170 performance falls below “Meets Expectations” in the Administrative Review,
171 then the Dean shall refer the case back to the academic unit for peer review and
172 the following procedures are enacted.

173
174 **D. Procedures for Conflicted Administrative Evaluation or Faculty Appeal**

175
176 The procedures below shall be enacted when the college Dean and Unit Head are
177 not in agreement on the assessment from the Administrative Review that
178 performance is below “Meets Expectations” for one or more job duties, or when
179 the faculty member appeals the combined decision by both the Unit Head and Dean
180 that performance as assessed in the Administrative Review is below “Meets
181 Expectations”.

182
183 **1. Department and College Level Review**

184
185 Based on Unit protocol for determining peer group, each faculty or committee
186 member and administrator at the Unit and College levels must review materials
187 and provide, in writing, a vote of agreement or disagreement with the evaluation
188 that performance does not meet expectations, specifying the reasons for his/her
189 decision. The order of consideration shall be unit faculty, Unit Head, college
190 tenure and promotion committee, and Dean. The written votes and comments

191 at each level become part of the case file reviewed by subsequent committees
192 and administrators.

193
194 **2. University Level Review**

195
196 Conflicted cases will be referred to the University Reappointment, Tenure and
197 Promotion committee for additional review. Procedures will be consistent with
198 those outlined in UW 2-7 for reappointment, tenure and promotion cases.

199
200 **3. Timing of Reviews**

201
202 Committee members at each level of review must vote within 30 days after
203 receipt of the case, and individual administrators must vote within 10 days after
204 receipt of the case file. The purpose of the specified time lines for initiating
205 reviews and limiting deliberations is to ensure expeditious resolution of
206 performance review disagreements. The President of the University may
207 authorize reasonable extensions of these guidelines under extenuating
208 circumstances.

209
210 **4. Final Determination**

211
212 When this process is complete, the Provost and Vice President for Academic
213 Affairs makes a final determination that the faculty is either meeting
214 expectations or is performing below expectations. If the latter, the Provost and
215 Vice President for Academic Affairs will instruct the faculty member and Unit
216 Head to develop a PIP.

217
218 The Performing Below Expectations Extensive Review process can be stopped
219 at any time upon resolution and concurrence with the Provost and Vice
220 President for Academic Affairs by the faculty member, Unit Head or Dean.

221
222 If a discrimination or harassment charge is filed by the faculty member against
223 the Unit Head and/or college Dean, the Performing Below Expectations review
224 process continues but no final determination is implemented until the charge has
225 been reviewed under UW Regulation 4-2.

226
227 **E. Appeals**

228
229 The faculty member may appeal the Unit Head and Dean's evaluation that
230 performance falls below "Meets Expectations" (as described in V.C.2.) and initiate
231 proceedings according to V.D. Notification of appeal shall be made to the Unit
232 Head and Dean within 30 days of receiving the results of the administrative review.

233

234 **VII. PERFORMANCE IMPROVEMENT PLAN (PIP)**
235

236 If a PIP is the outcome of the Extensive Review the faculty member is obligated to
237 construct, in consultation with and approval by the Unit Head and Dean, a PIP no later than
238 30 days after the final decision of the Extensive Review that performance was below
239 “Meets Expectation” has occurred. If the faculty member and department head cannot
240 agree, the PIP is referred to the Dean for approval. If the faculty member does not agree
241 with the decision of the Dean, the faculty member may request a review by the Provost and
242 Vice President of Academic Affairs, who may refer the case to the University
243 Reappointment, Tenure and Promotion committee for review. The decision of the Provost
244 and Vice President of Academic Affairs is final.
245

246 **A. Timeline**
247

248 A PIP must conform to the following time limits:
249

- 250 1. Issues related to teaching must be resolved within two years.
- 251 2. Issues related to extension must be resolved within one year.
- 252 3. Issues related to research/creative activities must be resolved within a
253 maximum of three years; shorter time periods are preferred if a reasonable
254 chance of improvement is probable.
- 255 5. Issues related to service must be resolved within one semester.
256

257 **B. Administrative Constraints**
258

259 Once a PIP is implemented, the following administrative constraints are operative:
260

- 261 1. Salary increases are **not** available to any faculty member working under a PIP.
262
- 263 2. The faculty member working under a PIP **cannot** file a separate “grievances
264 and disputes” action under UW Regulation 2-2 related to the PIP and the post-
265 tenure review process. (Discrimination and harassment complaints under UW
266 Regulation 4-2 can be initiated at any time during the post-tenure review and
267 PIP process.)
268
- 269 3. The faculty member, Unit Head, and Dean shall meet no less than once during
270 an academic semester to review progress toward the goals stipulated in the PIP.
271 If the time frame for PIP is one semester, the faculty member and Unit Head
272 should meet mid-semester to review progress. The faculty member is expected
273 to make a good faith effort to implement the goals of the PIP and administrators
274 are expected to act in good faith when reviewing the individual’s performance
275 in terms of the goals in the PIP.
276

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

- 287
288 4. No additional Extensive Reviews shall occur until the initial PIP is completed.
289

290 VIII. COMPLETION OF THE PERFORMANCE IMPROVEMENT PLAN (PIP)

291
292 When the objectives of a PIP are fully met and the timeline outlined in the PIP has expired
293 or, in any case, no later than the timeline outlined above (VI.A.), the Unit Head shall
294 provide a written report to the faculty member and the college Dean asserting one of the
295 following conclusions:

- 296
297 A. The Unit Head concludes that the faculty member has successfully completed the
298 goals of the PIP. If the college Dean concurs with this conclusion, the faculty
299 member is considered to be Proceeding According to Expectations and becomes
300 eligible for the benefits associated with that status.
301
302 B. If either the Unit Head or college Dean concludes that the faculty member has
303 **failed** to successfully complete the goals of the PIP, the faculty member can request
304 a review by the Provost and Vice President of Academic Affairs, whose decision
305 will be final. If it is determined that the goals of the PIP have not been met, then
306 the college Dean shall pursue dismissal for cause under UW Regulation 2-6.
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308 IX. REVISIONS

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310 As necessary, the Faculty Senate will conduct a review of the post-tenure review process
311 and formulate a recommendation to the President of the University and the Board Trustees
312 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>

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Associated Regulations, Policies, and Forms: None

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