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## UNIVERSITY OF WYOMING REGULATIONS

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

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### 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 ~~As used in this regulation:~~

**Administrative 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 ~~5-8032-7~~.

**Administrative Unit Head:** ~~The unit head~~ is the supervisor of the administrative unit. Unit ~~H~~heads have a variety of titles at the university, including department head, department chairperson, program director, division director, and ~~dean~~Dean or Director of a school. The ~~U~~unit ~~H~~head is responsible for performance evaluation and recommendations related to compensation.

**Performance ~~B~~below ~~E~~expectations:** Performance at an unacceptable level of accomplishment or competency in one or more major 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. ~~A faculty member who has not received a rating of performing below expectations during a post-tenure review period is presumed to have performed at least according to expectations for the period.~~

**Performance Improvement Agreement (PIA):** An agreement between the faculty member and the Academic Unit Head completed when a performance rating in one or more areas is below "Meets 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. If the goals of the PIA are being/have been met, as evidenced by the next annual evaluation specified in the PIA, the faculty member continues in the regular post-tenure review cycle. If the goals of the PIA are not met at the next annual review, an extensive review process shall be initiated.

**Commented [TB1]:** This phrase was added to account for a PIA that addresses deficiencies needing longer than one year (e.g., research)

**Performance Improvement Plan (PIP):** ~~is a~~ written document, developed by the faculty member and Unit Head, defining specific commitments to improve ~~his or her~~ the faculty member's performance in cases where it falls below expectations. A complete ~~performance improvement plan~~ PIP includes (1) a description of the faculty member's strengths and weaknesses, (2) identification of ~~verifiable-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, ~~administrative unit head~~ Unit Head, and college ~~dean~~ 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:** ~~Post-tenure review is the~~ A comprehensive, formal system designed to support faculty development and to ensure professional accountability consistent with academic needs and goals of the University, by which faculty members holding tenured contracts receive regular performance evaluations. The system includes peer review and remedial steps for cases in which a faculty member's ~~This system is comprised on a set of reviews, including peer review, and is dependent on a robust annual review and performance evaluation process.~~

**A. 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. 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. Faculty receiving an overall performance rating of "Meets Expectation" with a deficiency in one or more areas of performance (i.e., performance rating falls ~~B~~below "Meeting Expectations") will engage with their Academic Unit Head in preparing a PIA.

**Commented [TB2]:** Steps for conducting annual performance evaluations will be described in a Standard Administrative Policy and Procedures (SAPP). A small working group of department heads and faculty will assist Academic Affairs in developing the SAPP.

**B. Extensive review:** An Extensive Review shall occur when the individual receives an overall annual evaluation rating ~~b~~below "Meets Expectations" or when performance on one or more of the duties outlined in their job description is below "Meets Expectations" for two consecutive years or for two of the previous four years. 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 PIA 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 2-7.
11. Any other material submitted by the faculty member, including external letters of recommendation.

## II. STATEMENT OF 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.

Post-tenure review is the system by which faculty members holding tenured contracts receive regular performance evaluations. The system includes peer review and remedial steps for cases in which a faculty member's performance falls below expectations in the judgment of a supervisor. 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 faculty in each administrative unit shall ~~develop and formally approve definitions of major job duties, a minimum time frame for post-tenure review cycles, and a process and develop and maintain a set of clearly defined a set of minimum standards and expectations for post-tenure review evaluation of faculty members. The process must be consistent with the unit's tenure and promotion procedures, and the p~~Performance expectations must make explicit the standards of the discipline and be consistent with University Regulations and

**Commented [TBB3]:** Moved from section below. This is really part of the policy and not part of the procedures, per se. URTP Committee believed post-tenure review should be on all duties outlined in the job description, and thus suggested eliminating reference to "major" duty.

policies. Deans shall assure that unit level standards and expectations are consistent with the discipline and with college and University policies.

### **III. 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 ~~2-6.5-8014(E)~~.

**Commented [TBB4]:** Although this was assumed in previous version, clear statement is needed. The remainder of this paragraph is verbatim from current regulation.

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 ~~5-8012-6~~. 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.

### **IV. PROCEDURES FOR POST-TENURE EXTENSIVE REVIEW** ~~The faculty in each administrative unit shall develop and formally approve definitions of major job duties, a minimum time frame for post-tenure review cycles, and a process and a set of minimum expectations for post-tenure review evaluation of faculty members. The process must be consistent with the unit's tenure and promotion procedures, and the performance expectations must make explicit the standards of the discipline.~~

**Commented [TBB5]:** Moved to section on policy.

#### **A. Notification**

Faculty members will be notified in advance of post-tenure review. In the event that an Extensive Review is required, the Academic Unit Head will notify the faculty member of the timeline for submitting new materials.

#### **A.B. Administrative Review**

The post-tenure review process begins with an administrative review, which consists of independent evaluations or required materials by the Unit Head and Dean. Tenured faculty members are assessed to determine, at a minimum, whether performance meets expectations they are "Proceeding According to Expectations" or "Performing Below Expectations" on major cach of the job duties outlined in their job description. (e.g., research/creative activities, teaching, extension and service).

#### **C. Outcome of Administrative Review**

1. If both the Unit Head and college dean/Dean determine that the faculty member is meeting expectations ~~“proceeding according to expectations,”~~ then the post-tenure review is deemed completed. ~~“Proceeding according to expectations” is considered meritorious for salary raise purposes.~~

If both the Unit Head and college dean/Dean have assessed the faculty member as performing below expectations on one or more major job duty ~~in the post-tenure review, a then the college dean shall pursue one of the options specified in I(B) below. After consultation, the faculty member, the unit head, and the college dean must agree on one of the following for a faculty member who is “performing below expectations” on one or more major job duty:~~

- ~~— redefinition of job duties;~~
- ~~— resignation/retirement within two academic years;~~
- ~~— medical leave;~~
- ~~— unpaid leave of absence;~~
- ~~— career counseling; or~~

2. development of a PIP will be developed to address the problematic area(s) of the faculty member’s job performance.

If the college dean determines that the faculty member, the unit head, and the college dean cannot agree, then the faculty member shall pursue a performance improvement plan (PIP).

~~1.3.~~ If the college dean/Dean determines the Unit Head and college dean/Dean are not in agreement the performance falls below on the “Meets Expectations” ~~“performing below expectations”~~ assessment in the post-tenure review, ~~or if the faculty member appeals the “performing below expectations” evaluations of both the unit head and dean on the post-tenure review year, then then~~ the college dean/Dean shall refer the case back to the administrative-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 that performance is below “Meets 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 is below “Meets Expectations”.

##### 1. Department and College Level Review

**Commented [TBB6]:** Addressed in Salary Distribution Policy.

**Commented [TBB7]:** URTP committee agreed that “Major” should be deleted and that all duties outlined in job description should be considered.

**Commented [TBB8]:** These are employment options available when appropriate and described in the Employee handbook. However, they are not alternatives to the other options.

The remaining items listed here can be included in a PIP, if deemed appropriate.

Based on Unit protocol for determining peer group, Each faculty or committee member and each administrator at each level (the Unit and, College and university) levels must review materials and provide, in writing, a vote of agreement or disagreement with the “Performing Below Expectation” 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 deanDean. 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 2-7 for reappointment, tenure and promotion cases. These written votes at each level become part of the case file reviewed by subsequent committees/persons and administrators.

## 3. Final Determination

When this process is complete, then the Provost and Vice President for Academic Affairs makes a final determination. The Provost and Vice President’s determination asserts that the faculty is either meeting expectations or is performing below expectations. If the latter, the Provost and Vice President for Academic Affairs will and, if so, specifies the implementation of one of the options in I(B). instruct the faculty member and Unit Head to develop a PIP.

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.

The “Performing Below Expectations” 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 headUnit Head or college deanDean.

If a discrimination or harassment charge is filed by the faculty member against the unit headUnit Head and/or college deanDean, the “Performing Below Expectations” review process continues but no final determination is

implemented until the ~~discrimination~~ charge has been ~~adjudicated~~reviewed under UW Regulation ~~4-54-2~~.

~~B.~~

~~C. After consultation, the faculty member, the unit head, and the college dean must agree on one of the following for a faculty member who is “performing below expectations” on one or more major job duty:~~

~~D.~~

~~E. redefinition of job duties;~~

~~F. resignation/retirement within two academic years;~~

~~G. medical leave;~~

~~H. unpaid leave of absence;~~

~~I. career counseling; or~~

~~J. development of a performance improvement plan (PIP) to address the problematic area(s) of the faculty member’s job performance.~~

~~K.~~

~~L. If the college dean determines that the faculty member, the unit head, and the college dean cannot agree, then the faculty member shall pursue a performance improvement plan (PIP).~~

~~M.~~

~~N.E. 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.~~ Appeals

The faculty member may appeal the ~~unit head~~Unit Head and ~~dean~~Dean’s evaluation that performance falls performing below “Meets Expectations” decision (as described in IV.C.2.) and initiate proceedings according to I(A)(3)-IV.D. Notification of appeal shall be made to the Unit Head and Dean within 30 days of receiving the results of the administrative review.

## V. PERFORMANCE IMPROVEMENT PLAN (PIP)

If a PIP is the outcome of the post-tenure review ~~outcome I(B)(6) is the decision~~, the faculty member is obligated to construct, in consultation with and approval by ~~both the unit head and college dean~~Unit Head and Dean, a ~~performance improvement plan (PIP)~~PIP no later than ~~60-30~~30 days after the ~~“Performing Below Expectations”~~“Meets Expectation” final decision that performance was below “Meets Expectation” has occurred. If the faculty member and department 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. Problems with **t**Teaching problems must be addressed within one year. Activities exemplifying improvement in teaching performance include, but are not limited to: consulting with the Ellbogen Center for Teaching and Learning personnel, attending teaching related workshops at UW or professional associations, enrolling in education method courses at UW or elsewhere, and having classroom observations by peers at least once a semester per course.~~
- ~~2.1~~ Issues related to teaching must be resolved within one year. **A**ctivities exemplifying improvement in teaching performance include, but are not limited to: consulting with the Ellbogen Center for Teaching and Learning personnel, attending teaching related workshops at UW or professional associations, enrolling in education method courses at UW or elsewhere, and having classroom observations by peers at least once a semester per course.
- ~~2. Issues related to **e**Extension problems must also be addressed resolved within one year. A “performing below expectations” evaluation concerning extension performances must be addressed and appropriate involvements stipulated at the unit level in consultation with the Director of University of Wyoming Extension. Activities exemplifying improvement in extension include, but are not limited to: conjoint applied research projects with colleagues at UW or elsewhere, attending continuing education and/or technical assistance workshops at UW or elsewhere, and development of courses for presentation by telecommunication systems.~~
- ~~3. Issues related to **r**Research/creative activities problems must be addressed resolved within a maximum of three years; shorter time periods are preferred if a reasonable chance of improvement is probable. Activities exemplifying improvement in research/creative performance include, but are not limited to: conjoint projects with colleagues at UW or elsewhere, review of projects and pre-publication submissions by colleagues at UW or elsewhere, and consultation with and advice from representatives of the Vice President for Research and Economic Development.~~
- ~~1-4~~ Issues related to **s**Service problems must be addressed resolved within one semester. A “below expectations” evaluation concerning service contributions must be addressed and appropriate involvements stipulated at the unit level in consultation with the college dean.

~~2-4~~

**Commented [TBB9]:** Sections that describe activities will be moved/integrated into a SAPP. URTP Committee agreed.

**Commented [TBB10]:** Sections that describe activities will be moved/integrated into a SAPP. URTP Committee agreed.



~~A. (1) If the college dean determines that the proposed PIP is **acceptable** to both the unit head and college dean, then the proposed PIP is considered operative and the administrative constraints itemized below are in effect.~~

~~i. (2) If the college dean determines that the initially proposed PIP is **unacceptable** to the unit head or college dean, then the college dean refers the PIP to the unit's tenure and promotion committee (or equivalent) for review and advice. (a) If the unit's committee **rejects** the proposed PIP, then the faculty member must revise the PIP consistent with the committee's recommendations. This revision is to be completed within 30 days of receipt of the committee's rejection and recommended modifications. This revision is re-submitted to the unit head and college dean for acceptance. (b) If the revised PIP is unacceptable to either the unit head or college dean, then the revised PIP is sent to the Provost and Vice President for Academic Affairs for a determination. (c) The Provost and Vice President for Academic Affairs either accepts or rejects the revised PIP; rejection is sufficient grounds for pursuing dismissal for cause under UW Regulation 5-801.~~

~~ii. (3) If the unit's committee **accepts** the PIP and both the head and dean accept the committee's decision, then the proposed PIP is considered operative. (a) If the college dean determines that either the unit head or the college dean **rejects** the committee's acceptance of the proposed PIP, then the PIP is referred to the Provost and Vice President for Academic Affairs who either accepts or rejects the PIP. (b) Acceptance by the Provost and Vice President makes the revised PIP operative while rejection of the proposed PIP by the Provost and Vice President for Academic Affairs is sufficient grounds for pursuing dismissal for cause under UW Regulation 801.~~

Commented [TBB11]: Deleted and streamlined process above.

## 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 "grievances and disputes" action under UW Regulation ~~5-352-2~~ related to the PIP and the post-tenure review process. (Discrimination and harassment complaints under UW Regulation ~~4-54-2~~ can be initiated at any time during the post-tenure review and PIP process.)
3. The faculty member, ~~unit head~~Unit Head, ~~and college dean~~Dean, shall meet ~~no less than once during an academic at the end of each~~ 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.

Commented [TBB12]: Modified to account for PIPs that are short in duration.

Annual performance reviews will be conducted while a faculty member is working under a PIP. If either the ~~unit head~~Unit Head or ~~college dean~~Dean concludes that the faculty member has failed to demonstrate satisfactory progress towards the goals of the PIP, then the ~~college dean~~Dean refers the case to the unit's tenure and promotion committee (or equivalent) for review and advice, and the procedures, responsibilities and guidelines detailed in ~~I(A)(3)V(D)~~ are initiated. If the result of ~~I(A)(3)V(D)~~ is failure of the faculty member to demonstrate satisfactory progress towards the goals of the PIP, and the faculty member, the ~~unit head~~Unit Head, and the ~~college dean~~Dean cannot agree to an appropriate job redefinition then the college ~~dean~~Dean shall pursue dismissal for cause under UW Regulation ~~5-80+2-6~~.

~~4.~~ ~~4.~~ No additional post-tenure reviews shall occur until the initial PIP is completed.

~~VI.~~

~~VII.~~

#### ~~VIII.~~VI. 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 (V.A.) three years after the initial implementation of the PIP, the ~~unit head~~Unit Head shall ~~make provide~~ a written report to the faculty member and the college ~~dean~~Dean asserting one of the following conclusions:

A. The ~~unit head~~Unit Head concludes that the faculty member has successfully completed the goals of the PIP. If the college ~~dean~~Dean concurs with this conclusion, the faculty member is considered to be ~~"Proceeding A"~~ according to ~~E~~ expectations<sup>2</sup> and becomes eligible for the benefits associated with that status.

B. If either the ~~unit head~~Unit Head or college ~~dean~~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 or the unit head shall refer the case to the unit's tenure and promotion committee (or equivalent) for review and advice, and the procedures, responsibilities and guidelines detailed in I(A)(3) are automatically initiated. If the result of I(A)(3) is failure of the faculty member to satisfactorily complete the goals of the PIP and the faculty member, the unit head, and the college

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~~dean cannot agree to an appropriate job redefinition~~ then the college ~~dean~~Dean shall pursue dismissal for cause under UW Regulation ~~5-804~~2-6.

## VII. REVISIONS~~VIEW OF THIS PROCESS:~~

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 ~~of the University~~ as to the continuation, discontinuation or modification of the process.

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**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