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UNIVERSITY OF WYOMING | Office of Academic Affairs

REAPPOINTMENT, TENURE, FIXED TERM ROLLING CONTRACT, AND PROMOTION: ADDITIONAL GUIDANCE

This document contains additional guidance on conducting reappointment, tenure, fixed term rolling contract, and promotion activities.

GUIDELINES FOR MEETINGS. Departments should adhere to the following guidelines for conducting meetings to discuss candidates' cases for reappointment, promotion, tenure, or fixed term rolling contract.

Review/Meeting Schedule: Departments should have review meeting protocols established (and documented) prior to the date of the review meeting.

Departments should hold at least one meeting specifically for reviewing reappointment, tenure, and promotion, and fixed term rolling contract decisions, with no other business on the agenda. Please allow ample time for full review of all candidates. Complete case files should be available to voting members sufficiently in advance (e.g., 1-2 weeks) of the meeting(s) so that a thorough review may be done by the voting members. Note: all materials, including any documents or reviews pertaining to joint or SER appointments, must be included in the case files before the department review and meeting.)

All voting members as specified in the department peer group protocol must be invited to participate in the department meeting and must have the opportunity to review the candidate's case.

These meetings should be scheduled at a time when all participants (i.e., candidate, peer group) are available to attend, either in person or virtually. Avoid holding meeting(s) during holidays that are not recognized as official university holidays but are observed by eligible participants, or at other times eligible participants are unable to attend. NOTE: participants on sabbatical leave, non-emergency leave with pay, and leaves without pay should make every effort to participate in the meeting, either in person or virtually, and provide recommendations and comments.

Some units have protocols that include holding multiple meetings to review different types of cases and/or to allow the candidate to present their case. Other units do not have the candidate present and may assign a committee member to serve as the lead presenter of the case. Participation by the candidate during deliberations should be determined in advance of the meeting and as documented in the meeting protocols. It is advisable to have a *pre-review meeting* in advance to review department protocols (and modify as needed).

Peer Group/Voting Protocol. Each department is required to establish a peer group for the purpose of voting and making written recommendations on faculty reappointment, tenure, fixed term rolling contract, and promotion cases. The composition of the peer group is determined by the tenure track and tenured faculty in accordance with academic unit protocols and college bylaws. Any departments that do not currently have voting protocols in place should establish them as soon as possible and prior to reviewing any cases.

a. The peer group must include at least faculty at rank or higher than the position for which the candidate is being reviewed. It is recommended that the peer group be limited to faculty at rank or higher; however, depending on department/academic unit policy it may include additional members of the department/academic unit who hold appropriate academic qualifications considering rank, academic degree, or job description.
b. The college or unit dean or director may direct a department or academic unit to include appropriately qualified members of other departments or units in the voting protocol if circumstances, such as department size, warrant such inclusion.
c. The peer group composition shall apply consistently across all candidates in the department.
d. Each department or academic unit shall review its peer-group composition policy at least every three years.

Each academic unit must have a written copy of the voting protocol on file as well as documentation indicating how the protocol was established (e.g., by faculty vote and date). Where appropriate, voting protocol involving joint appointments should be articulated in the document.

Participation in Meetings by Non-Voting Members. Department meeting protocol may allow for participation in departmental meetings by department members who do not vote.

***College or University Level Committees – where do they vote*?**
Departments and colleges must be judicious in establishing and enforcing meeting protocols for non-voting members, including faculty members who vote at a different level. It is important to avoid any (real or perceived) appearance of voting twice and/or having an undue influence at multiple levels of review.

Members of the University Reappointment, Tenure and Promotion Committee vote at the department level. That committee has customarily addressed the voting/discussion issue by having members recuse themselves from the presentation and deliberation of a case if the candidate is from their home department. Colleges may follow the same procedure; however, due to the size of some college committees it may be necessary for the reviewer to vote at the college level and not at the department level. If this is the case, it is advisable for college committee members to recuse themselves from participating in the department deliberations.

Role of Department Head/Dean in Meeting. The department head may or may not be present at the department meeting, depending upon departmental protocol. Regardless, another faculty member should preside over the meeting. Because the head is responsible for making an independent recommendation, the head's role at the meeting should be limited to providing procedural information and factual clarification. At the college level, the chair of the college RT&P committee should preside over the meeting. Since the dean is responsible for making an independent recommendation, they need not be present. If the dean chooses not to attend, they

have the prerogative of having a delegate present. The dean's (or delegate's) role at the meeting, if any, should be limited to providing procedural information and factual clarification.

Meeting Attendance. Attendance at the meeting by a voting department member is not a prerequisite for making a recommendation. For example, employees away from the university on sabbatical or professional-development leave should vote if otherwise eligible, unless it is highly impractical to do so. All eligible voters, however, should have an opportunity to review cases before the department meeting, even if they are unable to be present at that meeting. All case files shall be available to eligible voters via WyoFolio.

FACULTY RECOMMENDATIONS. The person chairing the review meeting at the unit, college, and university level shall read the following statement (in *italics*) prior to beginning deliberations.

Recommendations on matters of reappointment, promotion, fixed term rolling contract, or tenure constitute what is arguably the most important element of faculty governance. Please approach the review and recommendation in a professional manner that safeguards the rights of the individual being reviewed and rigorously advances the academic stature of the University. The process must permit faculty and others with voting privileges to comment honestly and freely.

A written rationale must accompany each vote or recommendation. It is the persuasiveness of these written recommendations that counts the most, not the numerical vote tally. The lack of thoughtful, factually based rationale weakens a recommendation, whether it is for or against the candidate under review. It is also important to provide brief, factual reasons for abstentions, so that subsequent reviewers interpret them correctly. A family connection is a valid reason for the abstention. Timidity, failure to read the case, or failure to schedule adequate time to review the case files are not valid reasons for an abstention.

Reviewers who abstain must provide a written reason (e.g., voted at another level, conflict of interest, etc.). However, reviewers who abstain may not submit evaluative comments. Any evaluative comment will be removed from the case file prior to the case moving to the next level review. Legally, recommendations and comments may not be privileged information, even if they are anonymous when collected. There have been court cases where faculty members were asked to identify their comments, and in some cases have been asked to explain them. The University of Wyoming has not been immune to this type of situation. It is awkward to explain baseless attacks, cowardly abstentions, or ill-informed support to a skeptical audience. The best way to avoid legal exposure is to perform one's responsibility, which is to make reasoned, academically based judgments based on professional expertise and facts.

CONFIDENTIALITY. The person chairing the review meeting at the unit, college, and university level shall read the following notice about confidentiality (in *italics*) prior to beginning deliberations and verify that all participants have completed a confidentiality agreement.

Confidentiality protects and ensures honest, thorough, and robust review for reappointment, tenure, promotion, and fixed-term rolling contract appointments. All participants in these review processes will keep candidate dossiers and related personnel documents as well as committee discussions, deliberations, and voting information confidential. All participants in review meetings (i.e., eligible voters and non-voting participants [if allowed by department protocol])

shall complete a confidentiality agreement acknowledging their understanding and agreement to meet these expectations.

VOTING

Voters for Tenure-Track and Promotion Cases. In reappointment, tenure, and promotion cases for tenure-track faculty, the following department faculty shall submit votes and comments:

- All tenured faculty members at-rank or higher.
- All other tenured and non-tenured tenure-track faculty providing the department peer group protocol does not limit voters to at-rank or higher.
- All other members identified by the department's voting peer group protocol.

Votes should be recorded by faculty category (i.e., designation and rank, appointment type); however, exceptions to this provision may be made when confidentiality of votes would be compromised. Please consult with Faculty Affairs to determine if this exception is needed.

Voters for Fixed-Term Rolling Contracts and Non-Tenure-Track Promotion Cases. The following department members shall submit votes and comments:

- All tenured faculty members.
- All non-tenured tenure-track faculty.
- All non-tenure track faculty on fixed-term rolling contracts at-rank or higher.
- All other members identified by the department's voting peer group protocol.

Ballots. Departments must use the standard forms posted on the Academic Affairs website to gather votes and comments.

Voting Timeline. Voters should have ample time to complete and submit thoughtful recommendations. Generally, ballots should be cast within 72 hours of the end of the meeting, excluding weekends and holidays.

Reporting/Transcribing Results. When transcribing the results of departmental and committee recommendations, *clearly indicate which reasons are linked to affirmative recommendations, negative recommendations, and abstentions*. Comments alone do not always make the voter's intent clear.

Candidate Acknowledgement. Candidates should have the opportunity to review the votes and comments after each level of review. They must provide a written acknowledgement that they have read the comments prior to moving the case forward in WyoFolio. They may also insert a written response to each level of review that provides corrections and clarifications as well as any update to their academic record.

Abstentions. Abstentions are only occasionally appropriate. For example, faculty members must abstain in cases involving relatives, spouses, or domestic partners. (See Employee Handbook Section I.D.13 Nepotism for a more complete list of those who must recuse themselves from decisions affecting reappointment, tenure and promotion.) In general, however, faculty members have a duty to stay informed about their colleagues' work and to cast meaningful RT&P

recommendations. Abstention should not be a vehicle for ducking difficult judgments or shrinking from disagreement. This behavior effectively cedes power to administrators, who cannot abstain. Also, it is inappropriate to include any evaluative comments about a candidate's performance with abstention. Such comments shall be omitted from the case files before the department, college, and/or university level review.

CASES REVIEWED BY UNIVERSITY RT&P COMMITTEE

The University Reappointment, Tenure, and Promotion Committee will conduct an additional review of reappointment, tenure, fixed term rolling contract, or promotion cases in which one or more of the following conditions apply.

- A disagreement on the recommendation occurs between the department faculty (or alternative peer group, if needed), department head (or direct supervisor), college committee, or dean.
- The faculty member is recommended for denial of reappointment, tenure, fixed term rolling contract, or promotion.
- The faculty member seeks an early decision for tenure or fixed term rolling contract.
- The Provost or President requests consideration of a particular case.

MATERIALS

Please find the following materials on the Office of Academic Affairs website. It is important to use the most current forms. Please avoid using previous forms you have saved from past reviews as some of the information has changed. http://www.uwyo.edu/acadaffairs/academic-personnel/reviews/ballots.html

1. **History Sheet.** Units/colleges should complete the history sheet. This information will enable the University Reappointment, Tenure, and Promotion Committee to review a faculty member's history. Please load the candidate's history sheet in the internal case section of the case. When creating a history sheet for a new Assistant or Associate Professor, do not insert a date for promotion to full professor as there is no hard deadline for becoming a candidate for that rank. Current forms can be found on the Academic Affairs website: http://www.uwyo.edu/acadaffairs/academic-personnel/reviews/ballots.html It is important that you use the most current form.

2. **External Referee Coversheet.** Supervisors must complete the external referee coversheet and upload it into WyoFolio under the External Evaluations section. Reviewer CVs are no longer required to be uploaded into WyoFolio. The external referee coversheet may be downloaded here http://www.uwyo.edu/acadaffairs/academic-personnel/reviews/tp_reviewers.html

3. **Past reviews**. All past review materials must be uploaded in WyoFolio. Please talk with your college WyoFolio administrator to determine who will upload these items. These materials include all annual reviews; past year(s) vote tallies and comments from all levels, including any formal reviews from the University Reappointment, Tenure and Promotion Committee; and previous recommendations from the academic unit head and dean. If the candidate reports to another administrator and/or is affiliated with another unit (e.g., SER, Science Initiative, School of Computing, REDD, joint appointment in

another academic unit), please make certain review letters from those units are included. Materials should also include previous narratives and CVs. All documents should be in separate PDF documents by year and uploaded in sequential order.

4. **Vote Tallies**. In cases involving both tenure and promotion, please record the votes for promotion and the votes for tenure separately. All votes should be accompanied by comments. In the case of votes accompanied by no comment, please write "[no comment]." Abstentions should be accompanied by brief reasons, such as "the candidate is my partner."

   Academic Affairs uses the tally sheets in preparing the recommendations to the President and the agenda for the Trustees' votes, so accuracy is essential.

5. **Evaluation Sheet.** Please use the percentages of effort assigned in formal job descriptions for the year under review to describe individuals' expected time commitments. This form is now built into WyoFolio and should be completed within that system. All other versions of the form will not be accepted.