

# Standard Administrative Policy and Procedure

**Subject:** Procedures for Implementing and Evaluating Rolling Contracts

**Number:**

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## I. PURPOSE

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

## II. DEFINITIONS

**Fixed-term track (FTT):** The pathway to a fixed term 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.

**Fixed-Term Appointment with Rolling Contract:** A non-tenure track appointment for faculty who have (1) successfully completed the probationary period, (2) received a 3-year fixed-term appointment for Assistant or Associate rank or 5-year fixed-term appointment for the highest rank, and (3) received a 3-year or 5-year fixed-term contract that rolls forward yearly after each satisfactory (meets expectation) annual performance evaluation.

## III. GENERAL PROVISIONS

A. Hiring procedures will follow the established University of Wyoming regulations and processes.

B. Academic units shall establish and publish annual review guidelines. The guidelines shall:

1. address when and how peer review is incorporated into the annual review process for the purpose of providing advice to the Academic Unit head for annual performance evaluation, feedback on reviews during the probationary period, and recommendations for renewal of rolling contract;
2. clearly identify a unit peer review process that may be requested by a faculty member prior to their annual review being formally submitted by the unit head; and
3. address the process for augmenting committees if the unit has insufficient representation.

C. Generally, fixed-term track (FTT) faculty will be eligible for consideration of a fixed-term with rolling contract after serving a probationary period of three years after hiring. 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 growth and development, accomplishment, and commitment to the mission of the University.

1. All FTT faculty shall have their first-year review after they have been employed through a fall semester.
  2. A mandatory review shall be held at the end of the probationary period to determine if a fixed-term rolling contract will be granted. Procedures for conducting the mandatory fixed-term review and any review for promotion shall be consistent with established University of Wyoming regulations and processes for tenure and promotion review.
- D.** If granted, the fixed-term rolling contract is evaluated at the time of the annual review, in accordance with procedures established by the unit.
- E.** 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 WyoFolio case file; and included in the materials that are reviewed for granting a fixed-term rolling contract and/or promotion. The faculty member must certify that they have reviewed their performance evaluations; they have the right to make written comments, which become part of the performance review record.
- F.** All annual review letters for non-tenure track faculty (starting from academic year 2019-20 or fiscal year 2020 for academic personnel on FY calendars) will have a statement that clearly specifies the status of their contract and its end date. The annual review letters will also include faculty member's progress towards promotion and rolling contract eligibility.
- G.** In the event of a bona fide financial exigency or the reduction or discontinuance of institutional programs at the University, faculty fixed-term 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 or Director and Provost. Performance ratings shall range from "far exceeds expectations, exceeds expectations, meets expectations, needs improvement, unacceptable." Criteria for each of the five levels of performance shall be established for teaching/support of education, research/scholarship/creative

activities, service/outreach, extension, advising, and/or other assigned responsibilities.

- B.** The Unit Head initiates the annual performance review in accordance with Standard Administrative Policies and Procedures and unit and college guidelines.
- C.** Peer review at the unit level is required for first-year review and in the final year of the probationary period for consideration of a fixed-term with rolling contract. Peer review in the additional years (i.e., year 2) shall be consistent with unit guidelines. In the event that a unit does not require peer review, the FTT faculty may request a peer review (as defined within the unit and consistent with unit policy and procedures) in additional years during the probationary period.
- D.** All annual performance evaluations must be reviewed and approved by the Dean or Director. The faculty member shall have the opportunity to review and provide a response that will be included in the personnel file and WyoCourses case file.
- E.** An annual performance evaluation which results in a recommendation from the academic Unit Head/Director 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.
- F.** An annual performance evaluation in which a rating of “Needs Improvement” or “Unacceptable” in any of the areas of review is given, and the recommendation is to *reappoint*, shall state the basis for the rating 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 and WyoFolio case file.
- G.** An annual evaluation in which performance in any areas of review is rated as “Needs Improvement” or “Unacceptable” will be followed by a written plan for improvement within a month of submission to the Dean. The plan will be established by the faculty member and the Unit Head and submitted to the Dean or Director for approval.
  - 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 Unit Head shall make a final report to the faculty member and Dean or Director. 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 or other measures of teaching/support for education, 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. If external letters are required by unit or college, procedures for determining external reviewers for tenure and promotion shall be followed.

After review at the academic unit level, the Dean/Director shall review all of the materials (including recommendations from unit colleagues and Unit Heads) and will inform the candidate before submitting his or her recommendation directly to the Provost. Should the Dean's/Director's recommendation be to *not grant* a fixed-term, the faculty member may request an additional peer 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 in writing 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 rolling contract shall have the right to resign and the personnel file shall state only that he or she resigned.

All 5-year fixed-term rolling contracts as a result of promotion to the highest rank 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 fixed-term rolling contract is evaluated as part of his/her annual review process. At minimum, the annual review will be conducted by the Unit Head; and reviewed and approved by the Dean/Director. 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 fixed term of the rolling contract. For example, a satisfactory performance review at the end of the first year of a 3-year contract would result in the contract rolling forward another year to a 3-year contract. The contract would continue to roll forward annually 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 overall annual performance rating falls below expectations. For example, an unsatisfactory or 'needs improvement' performance review at the end of the first year of a 3-year contract would result in the contract not rolling forward. In this case, the faculty member would have two years remaining on their contract and the faculty member and department head would establish written plan for improvement (as described in IV.G.).

In the event of an overall performance evaluation that falls below expectations and a request for a peer review by the faculty member, the departmental review, including peer review and Unit Head final decision, will be completed within 30 days of the request, and the decision to suspend the contract should be held pending the outcome of the peer review. Units shall build into their review schedule sufficient time for this review to be completed so that college and university deadlines are met.

### **C. Restoring the rolling contract**

Following an overall review that fails to meet expectations, 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 3-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., 3-year rolling contract).

**D. Terminating the contract**

A faculty member becomes ineligible for a rolling contract following two consecutive overall “Needs Improvement” or “Unsatisfactory” ratings, or if an overall rating fails to meet expectations on two annual evaluations within a 3-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 highest 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, starting in AY 20-21. 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 annual review (using procedures described in section V).
- B.** Academic personnel with extended-term appointments shall retain their appointment and designation for the duration of their current term.
- 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 rolling contract 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 highest rank will be moved to a 5-year rolling contract once the final year of their current extended-term is complete. 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:** <http://www.uwyo.edu/regs-policies>

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

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