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# FACULTY POLICIES AND PROCEDURES

UNIVERSITY OF WISCONSIN-MADISON  
*As approved by the Faculty Senate on 15 May 1978  
with subsequent amendments as of 03 February 2020*

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## CHAPTER 1: THE UNIVERSITY FACULTY

### 1.01. UNIVERSITY.

As used throughout these rules, “University” or “UW-Madison” means the University of Wisconsin-Madison, which is an institution in the University of Wisconsin System.

### 1.02. UNIVERSITY FACULTY

A. The university faculty consists of all persons who hold the rank of professor, associate professor, assistant professor, or instructor with at least a one-half time appointment in UW-Madison, or with a full-time appointment jointly between UW-Madison and UW-Extension. Use of these titles and the definition of fractional appointments are governed by Chapters 4, 5, and 7 of these rules.

B. In exceptional cases, an employee of a state or federal agency, or the Morgridge Institute for Research, with at least a one-half time appointment with that employer, and whose salary is not paid by the university, but who is otherwise qualified for membership in the faculty, may be appointed to the faculty with the instructional, research, and service responsibilities of a tenure or tenure-track member. Such appointments require the affirmative recommendation of the concerned department(s) and dean(s), the approval of the University Committee, and must otherwise comply with the regulations set forth in Chapter 7 of these policies and procedures. Such appointments continue only for the duration of the individual’s employment relationship with the above-referenced employer while assigned in Madison. Appointments governed by this subsection convey full membership in the university faculty but do not obligate the university for salary in any event.

C. As used throughout these rules, an “appointment” (unmodified) is a contractual agreement between an individual and a department, school, college, or other unit of the university. The elements of an appointment are (1) duties; (2) title; (3) percentage time commitment; (4) beginning and ending dates; (5) financial remuneration, if any; (6) departments or other units involved; and (7) governance rights. “Appointment” may also be modified: “Tenure appointments” and “probationary appointments” are defined in 7.01. A “joint appointment” involves more than one department. A “joint probationary appointment” or “joint tenure appointment” occurs when two or more departments share a continuing commitment to a faculty member under the provisions of 7.02 and 7.19. A “joint governance appointment” is defined in 5.12 and does not confer a continuing commitment or tenure.

### 1.03. ACADEMIC STAFF.

A. “Academic staff” are professional and administrative personnel, other than university faculty, who have duties and types of appointments that are primarily associated with higher education institutions or their administration. They include individuals with instructional, research, outreach, or administrative responsibilities. Academic staff with research, teaching, and outreach positions

may hold positions and/or have working titles that include the term “professor.” The creation of formal modified professorial titles, or the authority for the use of modified professorial working titles, constitutes an academic policy decision and therefore requires prior approval by the university faculty.

B. In accordance with the contract between the U. S. Department of Defense and the University of Wisconsin-Madison, military officers in the Officer Education Programs have rank without tenure, as follows:

1. Professor: senior officer assigned to each ROTC unit;  
Associate Professor: Army, Air Force, or Marine lieutenant colonel, or Navy commander, other than senior officer;  
Assistant Professor: Army, Air Force, or Marine major or captain; Navy lieutenant commander or lieutenant;  
Instructor: Army, Air Force, or Marine first or second lieutenant; Navy lieutenant (jr. grade) or ensign.

2. Military officers in the Officer Education Programs holding these ranks hold university faculty status. The Officer Education Program is not part of any college or school.

C. University faculty status provides eligibility to participate in faculty governance as provided in Chapters 1, 2, and 6 of these rules, including voting in university-wide faculty elections, senate representation, and eligibility for election to the senate, and is granted only as provided in 1.03.B. of these rules. University faculty status does not confer membership in a department, school, or college; does not confer rank or tenure; and does not convert an appointment to a faculty appointment.

#### 1.10. UNIVERSITY ADMINISTRATIVE OFFICERS.

A. CHANCELLOR. The chancellor is the chief executive officer of the University of Wisconsin-Madison and must hold a tenured university faculty rank as set forth in Chapter 7 of these rules.

B. VICE CHANCELLOR. Any vice chancellor and provost to whom the chancellor delegates responsibility for academic program and faculty personnel policies must hold tenured university faculty rank as set forth in Chapter 7 of these rules.

#### 1.20. AUTHORITY AND RESPONSIBILITIES OF THE FACULTY.

A. The faculty is vested with responsibility for the immediate governance of the university, subject to the responsibilities and powers of the chancellor and under other provisions of 36.09, Wisconsin Statutes, and shall actively participate in university policy development. As such, the faculty has primary responsibility for academic and educational activities and for faculty personnel matters.

B. In cases where authority to act without subsequent review has been delegated by the Board of Regents to the faculty, that authority is exercised in accordance with these rules. In cases where the function of the faculty is to formulate recommendations to the chancellor or the Board of Regents, the authority referred to herein is for the formulation of such recommendations.



- C. Matters within the authority of the faculty include, but are not limited to the following:
1. Educational interests or educational policies.
  2. Establishment of faculty committees.
  3. Establishment of the academic calendar.
  4. Establishment of requirements for admission.
  5. Establishment of requirements for graduation and the title of the degree to be conferred upon completion of any course of study.
  6. Recommendation of candidates for honorary degrees.
  7. Conduct of commencement exercises and honors convocations.
  8. Establishment of policies for the regulation of intercollegiate athletics.
  9. Establishment of policies concerning investigation of student misconduct and administration of student discipline, subject to the provisions of UWS 17.
  10. Adoption of rules and procedures for recruitment, appointment, and review of performance of members of the faculty, subject to the provisions of UWS 3 and RPD 20-9
  11. Provision of a standing faculty committee charged with hearing dismissal cases (UWS 4.03).
  12. Creation of a standing faculty consultative committee to consult with the chancellor if at any time a declaration of financial emergency is to be considered (UWS 5.04); provision for a hearing committee to consider layoff and termination under a financial emergency (UWS 5.11).
  13. Adoption of rules and procedures to deal with allegations of misconduct or violation of university rules or policies on the part of the faculty (UWS 6.02).
  14. Designation of a committee or other appropriate faculty body and development of rules and procedures to hear grievances of the faculty (UWS 6.02).
  15. Adoption of rules and procedures to govern the performance by a faculty member of activities of an extensive, recurring, or continuing nature outside his/her institutional responsibilities (UWS 8.025).
  16. Adoption of rules and regulations for the conduct of its proceedings.
- D. The enumeration of functions and powers in this section is illustrative of the nature of the jurisdiction of the faculty and is not to be construed as comprehensive in nature.

1.21. JURISDICTIONAL RELATIONSHIPS WITHIN THE FACULTY.

- A. The university faculty has charge of all educational matters that concern more than one college, school, or division, or which are otherwise of general interest.
- B. College, school, or divisional actions on such academic matters as admission, degree requirements, and the titles of degrees to be conferred must be approved by the university faculty.

C. The resolution of any conflict of jurisdiction between the university faculty and the faculty of any college, school, or division rests with the university faculty.

1.22. SECRETARY OF THE FACULTY.

The secretary of the faculty is appointed by the chancellor after consultation with the University Committee.

1.23. AUTHORITY DELEGATED TO THE SENATE.

Except as restricted by 1.33. below, the authority of the university faculty is delegated to the university Faculty Senate, whose structure, procedures, and rules are described in Chapter 2.

1.30. MEETINGS OF THE FACULTY.

A. CALLING OF MEETINGS. Meetings of the faculty shall be held at the call of the chancellor; or at the request of the University Committee; or on the written petition, to the secretary of the faculty, or of any hundred members of the university faculty, and shall be consistent with the provisions of the state's Open Meetings Law. Robert's Rules of Order most recent edition, shall be the parliamentary manual for all meetings of the university faculty.

B. PRESIDING OFFICER. The chancellor is the presiding officer at meetings of the faculty. If the chancellor is absent, the vice chancellor for academic affairs and provost serves as the presiding officer. In the absence of both, the chair of the University Committee (see Chapter 6) shall serve as the presiding officer.

C. SPEAKING AND VOTING PRIVILEGES. All members of the faculty and full-time members of the academic staff, may speak at meetings of the faculty, but only members of the university faculty and members of the academic staff holding faculty status (as defined in 1.02. and 1.03.C.) may offer motions, second motions, or vote.

D. COMMITTEE OF THE WHOLE. At any meeting of the faculty, time may be set aside for the faculty to meet as a committee of the whole for discussion of matters of general interest. The University Committee is responsible for preparing the agenda for committee-of-the-whole meetings, and the chair of the University Committee presides over them.

E. EXECUTIVE SESSION. The faculty may meet in executive session; i.e., with only university faculty present where permitted by state law (see 19.85 of Wisconsin Statutes, Open Meetings of Governmental Bodies). Business of a confidential nature is indicated on the calendar and in the published minutes by title or some other brief form and is explained and discussed on the floor of the faculty meeting in executive session.

1.31. CONDUCT OF FACULTY BUSINESS.

A. THE AGENDA.

1. The agenda for a faculty meeting is prepared by the chancellor in conjunction with the University Committee. Matters to be included in the agenda should be submitted to the secretary of the faculty at least two weeks in advance of the meeting. All proposals must be submitted in writing and must be accompanied by reports or statements that the secretary of the faculty deems necessary for an understanding of the proposed business.

2. Any ten members of the university faculty may propose a matter for consideration at any meeting of the faculty by submitting it to the secretary of the faculty. Matters submitted for the agenda under this subsection shall be examined by the chancellor and the University Committee and shall be included in the agenda if they are within the jurisdiction of the faculty and in a form suitable for expeditious consideration.

3. A matter not on the agenda for a faculty meeting may not be considered at that meeting except by unanimous consent.

B. AUTOMATIC CONSENT BUSINESS.

1. The chancellor, in conjunction with the University Committee, may put at the head of business for any faculty meeting any administrative actions or informational reports of any faculty committee, or of any college, school, or division, that may appear to be suitable for passage by automatic consent.

2. Any member of the faculty may call up and debate any matter recommended for automatic consent.

C. MINUTES OF MEETINGS. The secretary of the faculty prepares the minutes of each faculty meeting and sends a copy to every member of the faculty. The minutes, as distributed to the faculty, shall stand as approved under the rule for automatic consent, unless the faculty determines otherwise at its next meeting.

D. NUMBERED DOCUMENTS. Documents that are too long to be included in the agenda for a meeting are given identifying serial numbers and attached to the agenda.

1.32. REQUIRED MAJORITY.

Legislation passed at a meeting of the faculty shall be valid faculty legislation if it receives a majority vote of at least 10% of the faculty. Legislation passed at a meeting of the faculty, but receiving fewer than 10% affirmative votes, shall require ratification by a majority vote of the senate in order to become valid faculty legislation.

1.33. FACULTY LEGISLATION.

Unless specific provision to the contrary is made, legislation adopted at a meeting subsequent to 1 October 1970 may be modified or rescinded only at a meeting of the faculty. A meeting of the faculty for this purpose may be called by a majority vote of the senate as well as in the other ways provided for in this chapter. Such a meeting is subject to all the provisions of this chapter, including 1.32. Senate action in accordance with 1.32., including nonratification, shall not be considered as modification or rescission for the purposes of this section. If by a vote of four-fifths of the members present and voting

the senate finds that a proposed change in faculty legislation (as considered in this section) is fully consistent with the policies and purposes of that faculty legislation and is only an alteration of the means for carrying out those policies and purposes, then the senate itself by a two-thirds vote of those present and voting may adopt the said changes in faculty legislation.

1.40. FACULTY POLICY STATEMENTS.

Faculty policy statements and other faculty actions of continuing significance pursuant to these rules, and which supplement but do not alter them, shall not be incorporated into these rules unless faculty action explicitly so directs. A separate compilation of such actions and policy statements shall be maintained by the secretary of the faculty, with appropriate cross-referencing and the deletion of items that are no longer relevant.

*History: 1.20.C, 1.30., 1.32. amended by Fac doc 2706 on 2017-11-06*

## CHAPTER 2: UNIVERSITY FACULTY SENATE

### 2.01. FACULTY SENATE.

The authority of the university faculty as described in Chapter 1 is delegated to the senate as provided in this chapter.

### 2.02. MEMBERS OF THE SENATE.

- A. The members of the senate, hereinafter called senators, shall be:
  - 1. Senators elected under 2.04.
  - 2. The members of the University Committee, ex officio.
  - 3. The chancellor and all vice chancellors who have been selected according to the provisions of section 6.49., ex officio.
  - 4. The deans of the schools and colleges, ex officio.
- B. Only senators referred to in subsections A.1. and 2. May vote, except that the presiding officer under 2.05. shall vote in case of a tie.

### 2.03. ELECTORAL DISTRICTS.

- A. The faculty shall be divided into electoral districts, hereinafter called districts, which shall elect senators as provided in 2.04. Emeritus/emerita faculty with governance rights under 7.31. shall not be counted in determining the number of senators to be elected from that district.
- B. Districts shall be organized as follows:
  - 1. A department having ten or more voting faculty members under 1.02. and 1.03. constitutes a district.
  - 2. Departments having fewer than ten voting members shall be combined into districts, except that where no appropriate combination of at least ten voting members is possible, a department having more than five but fewer than ten voting faculty members may be designated as district entitled to elect one senator. No department with more than five faculty members will be considered appropriately combined without its own consent.
  - 3. Voting faculty members without departmental affiliation shall be grouped in districts consisting of ten or more voting members, except that where no appropriate combination of at least ten voting faculty members is possible, a group of more than five but fewer than ten voting faculty members may be designated as a district entitled to elect one senator.
- C. Each faculty member shall be a member of only one district. A faculty member holding appointments in more than one department shall select one of these departments as the only department of which he/she shall be deemed to be a member for the purposes of this chapter. A faculty member entitled to select a district under this subsection shall inform the secretary of the faculty of his/her initial selection within four weeks after such a selection becomes possible. The faculty member shall notify the secretary of the faculty of subsequent selections prior to December

1. A selection made under this subsection shall continue in effect until revoked by the faculty member. Any selection under this subsection shall be binding for a period of two years.

D. Every three years, the secretary of the faculty shall provide the University Committee with data on the basis of which the committee shall review the apportionment of the faculty into districts, including the appropriateness of combinations of departments into districts, and recommend to the senate any reapportionment which it deems necessary or desirable. Such recommendations shall be presented to the senate at the first meeting of the spring semester. The senate may adopt a reapportionment provided that any action thereon: (1) must be approved prior to April 1, and (2) shall be effective for elections held during April and May of the year in which the reapportionment is approved and for elections to be held the following year. In any reapportionment, the University Committee may recommend a change in the year in which a district elects senators for the purpose of maintaining approximate equality in the number of senators elected each year under 2.04.

E. In the determination of electoral districts, a part-time faculty member shall be counted only if his/her total appointment is at one-half time or more. In such a case, each person shall count as half for an appointment of three-quarters time or less, and as one for an appointment at greater than three-quarters time. In order to preserve the secrecy of the ballot, the part-time faculty member shall have a full vote in the district and in the university faculty.

F. The secretary of the faculty shall maintain a list of the eligible voters in each district, and any who are to be counted as one-half for purposes of apportionment shall be so identified.

#### 2.04. SELECTION AND TERMS OF SENATORS.

A. A district shall be entitled to elect from among its members one senator for each ten voters. Where the number of voters in a district is not exactly divisible by ten, the district shall be entitled to elect one additional senator if the number of its voters exceeds a multiple of ten by six or more.

B. Elections of senators shall be held in the various districts, usually in April and May. All university faculty members shall be eligible for election, except that the persons designated as ex officio members (2.02.A.2. and 3.) shall be ineligible. No senator shall be eligible for re-election or for appointment as an alternate before the lapse of two years after six consecutive years of service.

C. Each district shall establish its own procedures for conducting its elections. In establishing these procedures, each unit must adhere to the following principles and must provide notice of these principles to all individuals eligible to vote:

1. everyone in the district eligible to serve in the Faculty Senate must be provided the opportunity to nominate individuals in the unit to be candidates for the Faculty Senate (including nominating themselves);
2. everyone in the district eligible to serve in the Faculty Senate must be provided the opportunity to vote in the elections; and
3. write-in candidates must be permitted, and notice of that option must appear on any ballot. Voting shall be by secret ballot.

D. The term of office of each elected senator shall start immediately for special elections, or at the beginning of the academic year following a general election. The term of office of senators elected under subsection A. shall be three years, except when the year in which the district elects senators is changed, as provided in 2.03.D.

E. Each senator elected under subsection A. shall name an alternate from his/her district. The name of the alternate shall be reported in writing to the district chair and to the secretary of the faculty within fifteen days after the election of the senator. Subsequent changes in alternates may occur at any time except in the week preceding a senate meeting, and shall be reported immediately to the district chair and to the secretary of the faculty. The alternate shall exercise the functions of the senator whenever the senator shall for any reason be unable to do so. In the event an alternate is unable to exercise this function, another named alternate from the same district may do so.

F. The office of senator shall become vacant on incapacity or resignation, or the absence of a senator from four consecutive regular meetings of the senate. The district chair shall call a special election to fill an existing vacancy.

#### 2.05. ORGANIZATION OF THE SENATE.

A. The chancellor shall preside over the senate.

B. The vice chancellor for academic affairs and provost shall discharge any function vested by this chapter in the chancellor if the chancellor is unable to discharge this function.

C. The chair of the University Committee shall discharge any function vested by this chapter in the chancellor if the chancellor and the vice chancellor for academic affairs and provost are unable to discharge the function.

D. The University Committee shall serve as the executive committee of the senate, hereinafter termed Executive Committee, unless the senate adopts legislation to establish a separate Executive Committee.

E. The secretary of the faculty shall serve as the secretary of the senate.

F. The senate may determine its own organization in all respects; and may adopt procedural rules for the conduct of its business, subject to the provisions of this chapter.

#### 2.06. MEETINGS OF THE SENATE.

A. The senate shall hold regular meetings on the first Monday of each month during the academic year. If the first Monday of the month falls on a holiday, the meeting shall be scheduled at a date as close to the original date as possible. The announced time and place of the meeting may be changed at the discretion of the chancellor with consent of the Executive Committee. Regular meetings may be cancelled by the chancellor with the consent of the Executive Committee if there is no significant business to be transacted.

B. Special meetings of the senate shall be held at the call of the chancellor; or at the request of the Executive Committee; or on the written petition to the secretary of any fifteen senators. Notice of a special meeting shall be sent to each senator so as to be received at his/her office at least twenty-four

hours prior to the meeting, unless the Executive Committee finds that an emergency exists that requires reduction of the period of notice to the minimum notice specified by law.

2.07. NOTICE TO THE FACULTY OF SENATE MEETINGS.

- A. The secretary shall send to every member of the faculty, at least five days before the meeting notice of every regular or special meeting of the senate and all documents pertaining to the agenda of the meeting, including the text of any proposed legislation.
- B. If the Executive Committee finds that it is impracticable to give written notice of special meetings in the manner described above, notice shall be provided according to state statute.

2.08. AGENDA FOR SENATE MEETINGS.

- A. The agenda for meetings of the senate shall be prepared by the chancellor in conjunction with the Executive Committee and shall be distributed by the secretary to all members of the faculty. On written request of any senator, or of ten members of the faculty, the secretary shall include additional items on the agenda. The deadline for submitting such items shall be ten working days before the senate meeting.
- B. Agenda items the University Committee identifies as requiring extended discussion shall first be presented to the senate for discussion at a meeting at which no action will be taken. The discussion shall take place in a Committee of the Whole chaired by the chair of the University Committee. This provision may be waived by the University Committee or by the Faculty Senate if action cannot be delayed until a subsequent meeting.

2.09. SPEAKING AND VOTING PRIVILEGES.

- A. All members of the university faculty and full-time members of the academic staff may speak at meetings of the senate, excluding executive sessions, subject to such rules as the senate may adopt for its own members, but only senators in attendance may offer motions, second motions, or vote. All members of the university faculty, all emeritus faculty meeting the criteria of 7.31.B., and all persons holding faculty status under 1.03.B. may attend and speak at executive sessions subject to such rules as the senate may adopt for its own members, but only senators in attendance may offer motions, second motions, or vote. Chairs of faculty committees under Chapter 6 may offer motions on behalf of their committees.
- B. The senate may permit persons other than faculty members to speak on agenda items by a majority vote of the senators present.

2.10. PROCEEDINGS OF THE SENATE.

- A. A quorum consists of a majority of the senators.
- B. An attendance record of senators shall be kept by the secretary.



- C. Normally, votes are taken viva voce or by a show of hands. A written ballot shall be required on any vote if requested by ten senators. The ballot shall state the name of each senator and his/her vote or abstention on the matter voted upon.
- D. Debate may be closed by a two-thirds vote of the senators present and voting.
- E. The chancellor, with the consent of the Executive Committee, may put at the head of business for any meeting of the senate any administrative actions or informational reports of any faculty committee, or of any school, college, or division, which may appear to be suitable for passage by automatic consent.
- F. The secretary shall prepare the minutes of each meeting of the senate, and send copies to each member of the faculty.
- G. Documents that are too long to be included in the agenda of a meeting are given identifying serial numbers and are attached to the agenda.
- H. At any meeting of the senate, time may be set aside for a committee-of-the-whole discussion of matters of general interest. The Executive Committee shall be responsible for preparing the agenda for such meetings of the committee-of-the-whole, over which the chair of the Executive Committee shall preside.
- I. When motions, including motions to amend, arise spontaneously or without adequate notice, and when a member of the senate believes that the motion conflicts with federal or state law, or other UW System or university policies and procedures already in place, the senate member may move to refer the issue to the University Committee to explore the possible conflicts and report to the senate. Such motion to refer requires a second and the affirmative vote of a majority of the votes cast.
- J. Business of a confidential nature shall be so identified on the agenda and in the published minutes by title or otherwise and shall be presented to and discussed by the senate in executive session; i.e., with only university faculty present.
- K. Unless otherwise provided for in Faculty Policies and Procedures, Robert's Rules of Order most recent edition, shall be the parliamentary manual of the senate, and the chancellor shall appoint a parliamentarian to advise him/her.

#### 2.11. ORDER OF BUSINESS

The order of business shall be as follows:

- A. Call to Order
- B. Memorial Resolutions
- C. Awards and Recognitions
- D. Announcements and Informational Reports (Chancellor, Provost, Chair of the Executive Committee, etc.)
- E. Question Period
- F. Automatic Consent Business

G. Other Agenda Items

2.12. QUESTION PERIOD

- A. Twenty minutes of every meeting of the senate shall be scheduled as a question period, during which members of the senate, or other members of the faculty present, may address questions to the chancellor.
- B. Members of the senate, or other members of the faculty, may file questions with secretary of the faculty at least three days prior to the senate meeting. A document containing these questions, listed in order of their delivery to the secretary, shall be given to each member of the senate at the beginning of the meeting.
- C. Questions may be addressed to the presiding officer without prior notice but priority shall be given to questions filed in advance, and questions without notice shall be presented only after questions on notice have been put.
- D. Any member of the senate, or any other member of the faculty present, may ask supplementary questions growing out of the reply of the presiding officer to the principal question, but it shall be the duty of the presiding officer to prevent the presentation of supplementary questions from becoming a debate.
- E. At the discretion of the presiding officer, the question period may be extended beyond the allotted twenty minutes.

2.20. AMENDMENTS TO CHAPTER 2.

- A. Amendments to this chapter shall be adopted upon a two-thirds vote of the senators present and voting, provided that the text of the amendment has been included in the notice of the meeting as distributed pursuant to 2.07.A.
- B. A reapportionment under 2.03.D. is not an amendment within the meaning of this rule.

*History:* 2.03.D., 2.04.B., 2.04.C, 2.04.D, 2.04.E, 2.04.F., 2.06.A., 2.07.A., 2.07.B., 2.08.A., 2.10.K., 2.12.A., 2.12.B., 2.12.C., 2.12.D., 2.12.E., 2.12.G. amended by Fac doc 2706 on 2017-11-06

*History:* 2.04.F. amended by Fac doc 2637 on 2016-09-26

## CHAPTER 3: FACULTIES OF THE COLLEGES AND SCHOOLS

### 3.01. COLLEGES AND SCHOOLS.

- A. For the purposes of these rules, the colleges and schools of the university are those faculty units headed by a dean.
- B. The dean is the chief executive officer of the college or school, and is appointed by the chancellor under search and screen procedures as set forth in 6.04D. The dean must hold a tenured faculty rank as set forth in Chapter 7 of these rules.
- C. Other subunits of the university that include the term “school” in their titles are not considered schools for purposes of this chapter; they may be designated by the chancellor, in consultation with the University Committee, as equivalent to departments for any or all of the purposes described in Chapter 5.
- D. A school or college shall be created or discontinued, or the name of an existing school or college changed, by the chancellor after consultation with the University Committee, subject to the approval of the Board of Regents. Creation of a school or college with academic programs at the post-baccalaureate graduate or professional level is also subject to the approval of the legislature. Recommendations concerning these matters shall be reported to the faculties of the schools or colleges directly affected and to the senate for discussion.

### 3.02. MEMBERSHIP IN COLLEGE AND SCHOOL FACULTIES.

- A. The faculty of each college or school consists of the chancellor, the dean, and all members of the faculty as defined in 1.02. who hold faculty appointments in the college or school.
- B. The faculty of the School of Education also includes those members of departments of other undergraduate colleges and schools who offer upper division courses for teaching majors or other courses required in the School of Education.

### 3.03. DUTIES AND POWERS OF COLLEGE AND SCHOOL FACULTIES.

College and school faculties have the following duties and powers:

- A. To control matters involving scholarship, including the advancement of students, and dismissal for defective scholarship.
- B. To recommend to the university faculty requirements for admission to the school, its courses of study, conditions of graduation, and the nature of the degrees to be conferred.
- C. To administer the regulations for the admission of students, so far as this duty is committed to them by the university faculty.
- D. To recommend to the Board of Regents candidates for earned degrees.
- E. To recommend candidates for fellowships and scholarships.
- F. To recommend honorary fellows and honorary scholars.

- G. To report to the university faculty matters requiring investigation by that body.
- H. To make appropriate citations, with approval of the Board of Regents, recognizing outstanding achievements by Wisconsin citizens and others who have been connected with the university or the state.

3.04. MEETINGS OF COLLEGE AND SCHOOL FACULTIES.

- A. Meetings of each faculty are held at the call of the dean, or as the faculty provides, and shall be consistent with the provisions of the state's Open Meetings Law. (See 8.02.B.)
- B. Each faculty shall make rules of procedure and provide for committees. Robert's Rules of Order Newly Revised, 11<sup>th</sup> edition, shall be the default parliamentary manual for all meetings of school/college faculties, but in case of conflict between Robert's and any rules adopted by those bodies, the latter shall take precedence.
- C. The dean is the presiding officer of the college or school faculty and ex officio member of all of its standing committees.
- D. Each faculty appoints a secretary who keeps a record of its proceedings. A copy of the proceedings of each faculty meeting is furnished by its secretary to the chancellor, to the secretary of the faculty, and to the secretary of the Board of Regents.
- E. The dean or secretary of each college or school faculty shall transmit to the university faculty for consideration all matters that are within its concern or that relate to more than one college or school.
- F. The dean or secretary of each faculty shall communicate to the chancellor, for transmission to the president and the Board of Regents, faculty action that does not require consideration by the university faculty but which requires consideration by the Board of Regents or which departs from the established routines and methods of the university.

3.05. THE GRADUATE SCHOOL.

- A. The Graduate School is a component of the Office of the Vice Chancellor for Research and Graduate Education.
- B. The faculty of the Graduate School includes all university faculty defined in 1.02. holding professional rank (professor, associate professor, assistant professor or instructor) in any department with graduate program authority, including those with zero-time appointments in such departments.
- C. University faculty in departments without graduate program authority may be granted graduate faculty status by the dean and Graduate Faculty Executive Committee upon recommendation of the executive committee of a department with graduate program authority.
- D. Members of the graduate faculty are automatically permitted to retain graduate faculty status for one year after their retirement or resignation. Annual extensions of graduate faculty status for a retired or resigned faculty may be granted by the dean or the dean's designee on the affirmative

recommendation of a departmental executive committee and with the approval of the Graduate Faculty Executive Committee.

E. Membership in the graduate faculty or graduate faculty status includes the right to participate in and vote at meetings of the graduate faculty, to vote in elections of committees of the graduate faculty, to serve as a major professor, and to serve on doctoral and master's examination committees.

F. University faculty from departments without graduate program authority and non-faculty with appropriate qualifications may be permitted to serve on examining committees in accord with policies determined by the graduate faculty and dean.

G. The authority of the graduate faculty is delegated to the Graduate Faculty Executive Committee in accord with section 3.07., below. Decisions of the Graduate Faculty Executive Committee are subject to review by the graduate faculty at a duly called meeting as provided in section 3.06., below.

H. Upon the affirmative recommendation of the departmental executive committee, and approval by the dean of the Graduate School or other person or body designated by the graduate faculty, academic staff may advise graduate students as a committee member or co-chair, but not as sole major advisor, and they may participate in graduate training programs on a basis similar to that of the faculty of the Graduate School. Exceptions will be granted by the dean of the Graduate School to departments with written policies that allow certain academic staff members with documented research and mentorship experience whose primary job responsibilities include graduate education to serve as sole major advisor. These departmental policies must clearly indicate both the criteria that qualify an academic staff member to serve as sole major advisor as well as the departmental mechanisms that ensure that advisors are kept current on the requirements for serving in this capacity.

### 3.06. MEETINGS OF THE GRADUATE FACULTY.

A. Meetings of the graduate faculty shall be held at the call of the dean; or at the request of the Graduate Faculty Executive Committee; or on the written petition to the dean of any 25 members of the graduate faculty.

B. The agenda for a meeting of the graduate faculty is set by the Graduate Faculty Executive Committee in consultation with the dean. Any ten members of the graduate faculty may propose a matter for consideration at any meeting of the graduate faculty by submitting it to the dean. Matters submitted under this provision shall be examined by the dean and the Graduate Faculty Executive Committee and shall be included in the agenda if they are within the jurisdiction of the graduate faculty and in a form suitable for expeditious consideration.

C. Except when there is an urgent need for immediate action, an announcement of a meeting of the graduate faculty and a copy of the agenda shall be distributed to all graduate faculty at least ten days prior to the meeting.

D. A matter not on the agenda for a meeting of the graduate faculty meeting may not be considered at that meeting except by unanimous consent by the body.

### 3.07. GRADUATE FACULTY EXECUTIVE COMMITTEE.

A. MEMBERSHIP AND SELECTION OF MEMBERS. The Graduate Faculty Executive Committee consists of sixteen members of the graduate faculty, elected as specified below, the dean, and not more than four associate deans appointed by the dean.

1. One member of the graduate faculty shall be elected from each faculty division each year for a four-year term. No more than one member may be elected from any department or graduate program.
2. Each divisional executive committee shall solicit suggestions from departments and graduate programs each year and shall nominate two candidates for the Graduate Faculty Executive Committee. Additional nominations may be made by at least five members of the graduate faculty. In the case of faculty having affiliation with more than one department or graduate program, the nominator shall specify which program or department the nominee is to be considered as from, for the purposes of the membership restriction in 3.07.A.1., above.
3. In each division, ballots shall be distributed to all members of the graduate faculty in that division. If no candidate receives a majority of the votes cast, then a run-off election shall be held to choose between the two candidates receiving the largest number of votes in the initial election.

#### B. FUNCTIONS.

1. The Graduate Faculty Executive Committee exercises the powers of the graduate faculty in accord with 3.05. This includes but is not limited to the establishing or modifying of graduate degree programs, reviewing graduate programs, setting standards for admission of graduate students and degree requirements, and excusing minor deficiencies of graduate students.
2. The Graduate Faculty Executive Committee selects a subcommittee of five faculty from among its elected members to serve, together with the dean, as the academic planning council of the Graduate School. One of the elected members shall be chosen from each faculty division and the fifth elected member shall be chosen at-large. The dean may invite associate deans or others to attend meetings of the academic planning council as advisors. The academic planning council advises the dean on policy and budgetary planning and presents faculty views and opinions to the dean. It also has the responsibility of assisting the graduate faculty in understanding budget and policy decisions and constraints.

Subjects on which the dean shall share information and consult with the academic planning council include, but are not limited to:

- a. Program review and the future development or contraction of graduate programs.
- b. Allocation of fellowships.
- c. Appointments of committees of the Graduate School. The council shall report regularly to the Graduate Faculty Executive Committee, and distribute a written report to the graduate faculty at least once each year.

#### C. PROCEDURES.

1. The Graduate Faculty Executive Committee meets at the call of the dean, or on petition of any five or more members. Meetings are chaired by the dean or his/her designee.
2. The Graduate Faculty Executive Committee may establish rules for its operation, including establishing the agenda for meetings, conduct of business, and the creation of subcommittees.
3. Whenever possible, policy questions to be discussed shall be identified in advance and information distributed to graduate departments and programs for comment. Comments received shall be reported by the dean to the committee before action is taken.
4. Meetings of the academic planning council shall be held regularly, not less than once per semester. The council shall be chaired by the dean or his/her designee. The agenda for each meeting is prepared by the dean but a matter shall be added to the agenda at the request of any three members.

3.08. SCHOOL AND COLLEGE ACADEMIC PLANNING COUNCILS.

The faculty of each school or college shall establish an academic planning council with which the dean shall consult on school or college programs and budgetary planning. The council shall advise the dean on such matters and present departmental, school, or college views and opinions.

A. MEMBERSHIP. Since considerable variance exists in the size and method of administration of each school or college, the size of each council, the term of membership, and the selection process may vary. Each school or college shall, however, adhere to the following provisions:

1. The dean shall be a member ex-officio.
2. All elected and appointed members of each academic planning council shall be faculty or academic staff whose primary responsibilities are instruction, outreach/extension, and/or research or be academic associate deans.
3. Except as provided elsewhere for the Graduate School Academic Planning Council, at least two-thirds of the membership shall be university faculty elected by the school or college faculty and shall hold no substantial administrative appointment beyond the departmental level.
4. Except as provided elsewhere for the Graduate School Academic Planning Council, at least one member shall be academic staff from the school or college.
5. The process of selection should foster representation of the major divisions of study within a school or college.

Changes in procedures for nomination or election of faculty members shall be approved by the school or college faculty, and transmitted to the University Committee.

B. PROCEDURES. Except as provided elsewhere for the Graduate School Academic Planning Council:

1. Each council shall be chaired by the dean or his/her designee. At least three times per semester, the council shall meet and the dean shall consult with it on such matters as program review and future development or contraction of academic programs within the

- school or college. The dean shall schedule an academic planning council meeting within a reasonable time if requested to do so by at least one-third of council faculty members.
2. Each dean shall consult with the academic planning council, and the academic planning council shall advise the dean in developing strategic plans and long-range planning for the school or college. In addition, the council may consider any other factors relevant to the capacity of the school or college to fulfill its mission.
    - a. Each school and college council shall adopt rules governing advance circulation of council agendas, how items may be added to agendas by a council member, how appropriate summaries of council meetings shall be made available to the faculty of the school or college and how the faculty of the school or college shall be notified of the council membership. These rules and any subsequent modifications shall be filed with the University Committee.
    - b. At intervals which shall not exceed five years, the elected faculty members of each council shall review its structure and functions to assess its effectiveness as a faculty voice and its compliance with Faculty Policies and Procedures 3.08. The self-study report shall be submitted to the dean, the faculty of the school or college, and to the University Committee.
  3.
    - a. Each dean shall consult with the academic planning council, and the academic planning council shall advise the dean on program decisions likely to affect promotions to tenure or nonrenewal of probationary faculty appointments. When advising the dean the council shall give appropriate weight to:
      1. the anticipated responsibilities of the department and of the school or college for teaching, research, and public service of high quality;
      2. existing and potential budgetary commitments in relation to present and anticipated resources of the school or college;
      3. the effect of the proposed program decision in strengthening the capacity of the school or college to carry out its mission;
      4. the goals of the university's affirmative action programs.
    - b. Academic planning councils shall afford the affected departments an opportunity to present their position during the course of the discussions.

*History: 3.05.H amended by Fac doc 2700 on 2018-05-07*

*History: 3.05.A, 3.07.B.2 amended by Fac doc 2615 on 2016-05-17*

*History: 3.01B: clerical update: reference changed to 6.04D from 6.49*



## CHAPTER 4: THE FACULTY DIVISIONS

### 4.01. ESTABLISHMENT OF DIVISIONS.

#### A. There shall be four faculty divisions:

1. Biological Sciences.
2. Arts and Humanities.
3. Physical Sciences.
4. Social Sciences.

B. These divisions are established on the basis of related subjects of teaching and research and are independent of colleges, schools, and departments.

C. Each division shall have an executive committee, whose chair shall also serve as chair of the divisional faculty.

### 4.02. DEPARTMENTAL MEMBERSHIP IN DIVISIONS.

Each academic department (or the equivalent as defined in 5.01., hereinafter also called “department”) is a member of every faculty division in which their faculty are members. The secretary of the faculty shall maintain a record of the composition of the divisions, based on the divisional membership of each department’s faculty as defined in 4.03.

### 4.03. INDIVIDUAL MEMBERSHIP IN DIVISIONS.

A. Each university faculty member as defined in 1.02. shall be a member of one, and only one, division. All faculty members shall elect at the time of initial appointment the division most appropriate according to their research and teaching. If a change in an individual’s divisional membership becomes appropriate, the divisional executive committee may grant divisional membership to the individual upon application and recommendation of the dean. A disagreement as to individual divisional membership shall be settled by the University Committee.

B. Each university faculty member is eligible to vote in the division of which he/she is a member. This shall be the division that advises the dean about his/her appointment or promotion to tenure.

### 4.04. DIVISIONAL MEETINGS.

The division’s chair may call meetings of the division’s faculty and must do so on the written request of ten members.

4.10. DIVISIONAL EXECUTIVE COMMITTEES: MEMBERSHIP.

- A. STRUCTURE. Each divisional executive committee shall consist of at least twelve members elected by the divisional faculty. The specific size of the membership and organizational structure of the committee shall be determined by the faculty of the division. Where there is a separation of functions among subcommittees within a particular divisional executive committee, no fewer than twelve members shall provide the tenure review function. No more than two members of each committee/subcommittee shall have tenure in the same department. If two members from the same department are serving, they may not have exactly overlapping terms. The total tenure appointments of members from a single department shall not exceed 250%. Members of each committee/subcommittee shall be elected for staggered three-year terms and may not succeed themselves on that particular committee/subcommittee, unless they were appointed to fill a partial term. Faculty shall not serve concurrently on more than one divisional committee/subcommittee (this provision does not apply to overlapping bodies created to coordinate committees/subcommittees). Individuals are eligible for re-election to a particular committee/subcommittee after two years.
- B. ELECTIONS. Executive committees make and administer rules for the nomination and election of their own members.
- C. ELIGIBILITY. Professors and associate professors eligible to vote in a division may serve on its executive committee.
- D. VACANCIES. A member of an executive committee who is unable to serve for two consecutive semesters during his/her term of office shall be replaced in a way to be provided for by a standing rule of that executive committee.
- E. CHAIR. Each executive committee shall annually elect a chair or co-chairs from among its members. The chair may report annually to the divisional faculty.

4.20. DIVISIONAL EXECUTIVE COMMITTEES: FUNCTIONS.

- A. ADVICE ON TENURE APPOINTMENTS. Before appointment or promotion to a position on the tenured faculty is made, the dean shall ask the advice of the appropriate divisional executive committee. The only exception to this requirement is when there is a lapse of less than two years from the time of a previous offer with tenure or resignation from the tenured faculty. (Procedures described in Chapter 7 of these rules.)
- B. ADVICE ON OTHER PERSONNEL PROBLEMS. A chancellor, dean, or department may ask the advice of the appropriate divisional executive committee concerning other personnel problems. The committee may study and make recommendations regarding appointments in order to strengthen the faculty and academic programs.
- C. CRITERIA FOR ADVICE. Executive committees shall establish criteria for considering personnel matters referred to them. (Criteria for promotion and retention are set forth in Chapter 7 of these rules.)
- D. ADVICE ON COMMITTEE SELECTION. The faculty or the chancellor may request executive committees to nominate or appoint persons from their divisions to standing or ad hoc committees.

4.30. DIVISIONAL EXECUTIVE COMMITTEES: PROCEDURES.

- A. MEETINGS. Each executive committee shall meet at least monthly throughout the academic year unless the chair considers there is insufficient business. The schedule of meetings shall be announced at the beginning of each academic year.
- B. SPECIAL MEETINGS. The chair may call a special meeting of an executive committee at any time, and he/she must call one on the request of one-third of the members of the committee.
- C. QUORUM RULE. A majority of the members of a committee shall constitute a quorum.

4.32. DIVISIONAL ACADEMIC PLANNING.

- A. PROCEDURES. Each division may establish a mechanism for divisional participation in academic planning to consider, as appropriate to the division, matters of academic planning that involve more than one school or college.
- B. ESTABLISHMENT. A divisional executive committee that chooses to develop a proposal under this section shall submit that proposal to the University Committee for approval. Should the proposed mechanism require any changes to Faculty Policies and Procedures, the divisional executive committee shall propose the necessary changes to the University Committee for review and then to the senate for approval. The mechanism developed by each division and approved by the University Committee shall be reported to the senate for information, and a record thereof shall be maintained by the secretary of the faculty.
- C. GENERAL PROVISIONS. A mechanism established by a division under this section shall provide for a committee or other body, at least two-thirds of the voting members of which shall be faculty without significant administrative appointments above the departmental level and who are elected by the divisional faculty. The committee or body will provide advice to the provost and appropriate deans and will work with school or college academic planning councils on matters of common interest.

4.40. DIVISIONAL COMMITTEE REVIEW COUNCIL

- A. Membership. The Divisional Committee Review Council (DCRC) shall consist of four faculty members, one from each faculty division, selected by the relevant divisional executive committee in April or May of each year to serve on the DCRC the following year. Anyone who has completed a full term on the divisional committee is eligible for selection. The DCRC shall select its own chair, except when the DCRC is consulted under section 7.17.C.7., in which case it shall be chaired for the purposes of that consultation by the member from the same division as the post-tenure review case.

In PTR cases (under 7.17.C.7.) where a member of the committee is from the same department as the individual being reviewed, the committee member is disqualified from participation and the University Committee shall select a replacement for the duration of that case from among members of past divisional executive committees. Any such disqualification does not create a

vacancy on the committee, but the replacement member shall sit on the committee until termination of the case.

B. Functions. The DCRC serves as a consultative resource to the provost on matters relating to tenure, including promotion review and post-tenure review (under section 7.17.C.7.).

*History: 4.02, 4.03, 4.10, 4.30 amended by Fac doc 2723 on 2018-03-05*

*History: 4.40 added by Fac doc 2715 on 2018-02-05*

*History: 4.01 amended by Fac doc 2673 on 2017-03-06*

## CHAPTER 5: DEPARTMENTAL FACULTIES

### 5.01. DEPARTMENT.

A. A department shall consist of a group of faculty members recognized by the faculty and chancellor, and the Board of Regents, as dealing with a common field of knowledge or as having common or closely related scholarly interests. A department shall be created, substantially restructured, or discontinued by the chancellor after consultation with the University Academic Planning Council, subject to the approval of the board. Substantial restructuring includes, but is not limited to the merger of departments, the transfer of groups of faculty in or out of departments, and the establishment of department-like bodies. The University Academic Planning Council shall not make any recommendations to the chancellor without obtaining and considering the recommendations of the relevant college/school academic planning councils and deans. The school/college academic planning councils will seek recommendations and approval from affected departmental executive committees and affected individuals a minimum of six months in advance of the proposed actions. Recommendations concerning the establishment of new departments or the substantial restructuring or discontinuance of existing departments shall be reported to and discussed by the senate. Criteria applied to restructuring shall be developed (5.02.) and related to the missions of the university and relevant schools and colleges.

B. Other groups may be designated by the chancellor, after consultation with the University Academic Planning Council and subject to approval by the board, as equivalent to departments for any of the purposes of these rules.

C. Schools or colleges defined in 3.01. that are not organized into departments shall operate as departments or may, by vote of the school or college faculty, organize in other ways to fulfill the objectives of this chapter.

### 5.02. DEPARTMENTAL RESTRUCTURING - GUIDELINES AND CRITERIA.

A. All program changes of any kind require the same open and transparent process, widespread communication, documentation of concurrence by other interested and affected units, and participation in shared governance as is required to gain approval for a new program. Planning and proposal development will involve consultation and communication with a wide range of academic, administrative, and student support units. The suspension or curtailment of an academic program must be managed so as to minimize any potentially adverse impact on students, on applicants admitted to the program, and on faculty and staff. Appropriate and timely notice must be given to all interested groups. Throughout the planning process faculty and staff should consult with their dean's office, the director of Academic Planning and Analysis, the Registrar's Office, the Graduate School, the Office of Undergraduate Advising, student governance groups, and others.

B. All proposals for program restructuring shall include:

1. An explanation of the precipitating circumstances or rationale for the proposal. Such explanations may be based in the unit's mission/focus and consequent realignment of resources with those changes, substantial changes/redirection of fields/courses of study,

declining faculty and student interest in the field of study, negative assessment of program quality and concern about the ability to deliver programming of acceptable quality to students, budgetary considerations, or other forces.

2. An explanation and evidence of efforts made to confer with and to notify parties affected by this change. This should include, but may not be limited to: faculty and staff who contribute to the program, academic units that provide resources to support the program, students currently enrolled in the program or who may be reasonably expected to be “in the pipeline” through advising or indication of interest at time of admission, alumni, and any other significant stakeholders.
  3. An assessment of the impact of the change on current students, market demand for students with this education that will not be met in the absence of the program, whether other UW-Madison programs provide a related educational experience, whether there are similar or related programs offered at other colleges or universities regionally or in the UW System, and what efforts have been made to resolve the situation to allow the program to continue, including the potential for collaboration with other units.
  4. A “teach-out plan” that explains how students will be supported through to completion of their degree. The plan should consider the needs of currently enrolled, prospective, and stopped-out students and should convey how program quality will be maintained and ensured through the teach-out period.
  5. Timeline and advance communication plan.
  6. Specification of any related academic components that are to be discontinued or otherwise affected.
- C. No proposal to discontinue or restructure an academic program, regardless of its origin or rationale, shall move forward without an affirmative vote of each of the following bodies in this order:
1. The faculty of the affected department(s).
  2. The school/college governance body, usually the academic planning council (APC).
  3. For undergraduate programs, the University Academic Planning Council (UAPC).
  4. For graduate programs,
    - a. the Graduate Faculty Executive Committee (GFEC) and
    - b. the UAPC.
- D. Proposals that receive approval are reported by the Provost's Office to all of the impacted UW-Madison offices (Admissions and Recruiting, Registrar, University Communications, Catalogs, Advising, Graduate School, Madison Budget Office, and so on). The provost also reports the suspension of admissions or discontinuation to UW System Administration in keeping with relevant policy requirements (per UWSA policy on suspending and discontinuing programs, November 2009), which will convey those results to the board.

#### 5.10. DEPARTMENTAL FACULTIES: MEMBERSHIP.

All university faculty members as defined in 1.02. holding probationary appointments, tenure appointments, or joint governance appointments in a department shall have the right to vote and otherwise participate in the governance of that department. The departmental executive committee may extend the right to vote, and participate in departmental meetings, to members of the academic staff (see 1.03.). The departmental executive committee also may invite members of the academic staff to participate in the annual preference balloting for department chair. Invitation to participate in departmental governance is not itself a faculty or academic staff appointment within the meaning of UWS 3 or 10, and therefore is not subject to notice and nonrenewal procedures. Invitation to participate in governance is for a specified term of not greater than three years and is made only by the executive committee (see 5.22.C.). Invitations to participate in governance are renewable.

#### 5.11. DEPARTMENTAL FACULTIES: FUNCTIONS.

The immediate governance of the department is vested in its departmental faculty (as defined in 5.10.) which has jurisdiction over all the interests of the department, including authority to determine all departmental questions that are not vested in the departmental executive committee by 5.20. and 5.21. The faculty of the department shall be responsible for teaching, research, and public service. Robert's Rules of Order Newly Revised, 11th edition, shall be the default parliamentary manual for all meetings of departments and for their executive committees, but in case of conflict between Robert's and any rules adopted by those bodies, the latter shall take precedence. Meetings of the departmental faculty shall be consistent with the provisions of the state's Open Meetings Law.

#### 5.12. JOINT GOVERNANCE APPOINTMENT.

A joint governance appointment allows a person who has an appointment to the faculty (under UWS 3) or the academic staff (under UWS 10) in one department to participate in the governance of another department without a continuing commitment or tenure relationship with that department. A joint governance appointment is not itself a faculty or academic staff appointment within the meaning of UWS 3 or 10 and therefore is not subject to notice and nonrenewal procedures. A joint governance appointment is for a specified term of not greater than three years and is granted only upon the affirmative recommendation of the departmental executive committee to its dean. Joint governance appointments are either "joint executive appointments" or "joint departmental appointments" as defined below. "Continuing commitment appointments" are governed by the provisions of 7.19. of these rules.

- A. A joint executive appointment in a department confers voting membership in the department and its executive committee and can be granted only to tenured faculty.
- B. Joint departmental appointments confer voting membership in the department, but not in the executive committee, and can be granted to both probationary and tenured faculty and to members of the academic staff.

C. For academic staff appointed in more than one department, invitation to participate in departmental votes and meetings (5.10.) in one department does not automatically give those privileges in any other department.

#### 5.13. AFFILIATIONS.

An affiliation allows a faculty member or a member of the academic staff to be associated with a department without governance rights or a continuing departmental commitment. Affiliations may be granted by the departmental executive committee to probationary and tenured faculty and to academic staff for a specified term of not greater than three years.

#### 5.14. FACULTY TRANSFERS BETWEEN DEPARTMENTS.

A faculty member may request transfer of his or her department's continuing commitment in his/her tenured appointment on professional or academic grounds. In considering such a transfer, those involved should take into account the programmatic interests of the faculty member, the affected departments, and the school(s) or college(s) concerned.

A transfer of a department's continuing commitment to a faculty member requires the concurrence of the faculty member proposing the transfer, the executive committees of the respective departments, and the approval of the appropriate administrative officer(s). When a proposed transfer involves a single school/college, the dean is the appropriate administrative officer. When a proposed transfer involves a unit outside a single school/college, in addition to the deans and executive committees, the approval of the chancellor or his/her designee must also be sought. In the event that the executive committees or dean(s) directly affected do not agree, the chancellor or his/her designee will seek to negotiate a final settlement after consultation with the University Committee and the appropriate academic planning council(s). In no case, however, can a continuing departmental commitment to a faculty member be made without the consent of the majority of the accepting departmental executive committee.

#### 5.20. DEPARTMENTAL EXECUTIVE COMMITTEES: MEMBERSHIP.

- A. Each department or its functional equivalent has an executive committee consisting of:
  - 1. All members of the department who are associate professors or professors and to whom the department has a continuing commitment of one-half time or more.
  - 2. Professors and associate professors in the department to whom the department has a continuing commitment of less than one-half time, but for whom that department was the principal sponsor of the appointment. (See Chapter 7 of these rules.)
  - 3. Other faculty members having tenure who have been granted joint executive appointments by action of that executive committee. (See 5.12.A.)
- B. Members of an executive committee who are on leave may participate in its decisions insofar as participation is feasible in the judgment of the executive committee.



C. Faculty members who retire and are appointed subsequently by the department in which they held tenure to an academic staff position totaling at least 20% of a full-time academic year appointment may be granted, by that departmental executive committee, membership on the executive committee during the academic year in which they hold that academic staff appointment. (See also 7.31.B.)

5.21. DEPARTMENTAL EXECUTIVE COMMITTEES: FUNCTIONS.

A. The departmental executive committee has authority to make recommendations concerning faculty appointments, recruitment, leaves, nonretentions, dismissals, promotions, and salaries and other departmental budget matters, which are transmitted through the chair to the dean.

B. In schools in which departmental structures do not exist, executive committees shall have the same authority to make recommendations to the dean concerning appointments, nonretentions, dismissals, promotions, salaries, and other budget matters, as departmental executive committees described in subsection A.

C. Departmental executive committees shall have the power to review and make recommendations concerning the appointment, recruitment, nonretention, dismissal, promotion, appointment to indefinite status, or salary of academic and classified staff and other persons appointed within the department itself; or, for duties not departmentally administered, whenever those personnel actions affect the instructional activities or budget of the department.

D. 1. The departmental executive committee shall provide for the periodic review of the performance of every tenured faculty member.

2. The departmental executive committee shall provide in written form, to its associate professors, the department's expectations for promotion to full professor, and periodically, either as a part of the review referenced in 5.21.D.1. or separately, shall consider each of its associate professors' progress toward promotion to full professor status and shall inform her/him of the outcome of that consideration.

3. The departmental executive committee shall provide for the annual written evaluation of every probationary faculty member beginning with the second year of the initial appointment (see 7.05. of these rules). In a year in which a renewal/promotion review (see 7.06. of these rules) is being carried out, this evaluation shall normally be part of that review.

4. The functions of executive committees in reviewing and evaluating faculty shall be performed in an impartial manner. Any member of an executive committee may at any time disqualify himself/herself from any review.

E. The departmental executive committee shall ensure that affected probationary faculty members shall be kept informed of any changes in departmental goals or other circumstances which alter the opportunity for promotion to tenure.

5.22. DELEGATION OF AUTHORITY OF THE EXECUTIVE COMMITTEE.

A. The executive committee may, by annual vote, delegate to a subcommittee or to the chair the authority to make recommendations with respect to any or all of the following matters, except as noted in 5.22.C.:

1. salaries;
2. faculty recruitment;
3. nonfaculty personnel actions;
4. equipment and supplies.

B. The departmental executive committee may delegate to the full professors of the department the responsibility to communicate the department's expectations for promotion to the rank of full professor, and the authority to make such recommendations.

C. The executive committee may not delegate to a subcommittee or the chair the following:

1. Authority to make recommendations on probationary faculty appointments;
2. Authority to make recommendations on retention or nonretention of probationary faculty;
3. Invitation or renewal of invitation to academic staff to vote and participate in departmental meetings as allowed in 5.10.;
4. Invitation or renewal of invitation to academic staff to participate in annual preference balloting for departmental chair as allowed in 5.10.;
5. Authority to make recommendations for the appointment of academic staff to indefinite status, or for the conferral of modified professorial titles to academic staff.

5.30. DEPARTMENTAL CHAIR: SELECTION.

A. All members of a department as defined in 5.10. and 5.20. and those members of the academic staff who have been invited to participate in the annual preference balloting, shall be given the opportunity to express their preference for chair each year by secret ballot, and all ballots shall be transmitted by the departmental chair to the dean. The department may by annual vote authorize a committee to count the votes before the ballots are transmitted to the dean. A voting member of the departmental faculty who is on leave is eligible to participate in the balloting, but not by proxy.

B. If the dean does not wish to appoint the faculty member who received at least a plurality for chair, the dean – after consulting the department, the chancellor, provost, and the University Committee, and with approval of the provost after he/she considers the recommendations of the University Committee – may appoint a chair from among the tenured members of the department, or may appoint a tenured member of the faculty who is not a member of the department. In exceptional cases, following consultation with the department, the chancellor, provost, and the University Committee, and with approval of the provost after he/she considers the recommendations of the University Committee, the dean may appoint an assistant professor. The dean shall discuss the reasons for his/her action with the department, the University Committee, and the provost.

- C. If the chair is an assistant professor, or not a member of the department, ad hoc arrangements shall be made in consultation with the dean, the provost, and the University Committee for the operation of the executive committee.
- D. The term of office of a departmental chair is one year, but there is no limit to the number of terms that may be served.
- E. A unit which is not a department, but which functions as a department for budgetary or faculty personnel matters under 5.01.B. or C. and/or 5.21.B. may have an administrative head who is not subject to the previous provisions of this section. The faculty members of such units may, at their option, have the opportunity to evaluate their administrative head. Such evaluation shall be in a form and procedure agreed to by the unit faculty and shall provide for anonymity.

#### 5.31. DEPARTMENTAL CHAIR: DUTIES.

The chair of the department has the following duties:

- A. Serves as the official channel of communications for all matters affecting the department as a whole, between the department and the chancellor, the dean, other university officials, or departments.
- B. Calls meetings of the departmental faculty and of the executive committee and presides over the meetings. He/She shall call a meeting at the request of any two members of the department. Each department shall meet at least once every semester.
- C. Has charge of all official correspondence of the department and of all departmental announcements in the catalogue or other university publications.
- D. Determines that all necessary records of teaching, research and public service of the department are properly kept and are always accessible to the proper authorities.
- E. Reports to the dean regarding the activities and needs of the department.
- F. Has responsibility for all departmental supplies.
- G. Submits new courses, major revisions of existing courses, and deletion of courses proposed by the department for action by the school/college and the University Curriculum Committee.
- H. Takes action in case of emergency pending a meeting of the department or its executive committee.
- I. In general, acts as the executive of the department.

#### 5.40. DEPARTMENT-LIKE BODIES.

A group of faculty who are not all in the same department but who share responsibilities for departmental functions as defined in 5.11. or departmental executive committee functions as defined in 5.21. constitute a department-like body. Every such body shall observe the relevant provisions of Chapter 5. Questions concerning the interpretation of this provision shall be resolved by the University Committee.

*History: 5.14, 5.30 amended by Fac doc 2666 on 2017-02-06*

*History: 5.21.D.1 amended by Fac doc 2583a on 2015-12-07*

## CHAPTER 6: COMMITTEES OF THE FACULTY

### 6.01. FACULTY COMMITTEES.

- A. The term “faculty committee” as used in this chapter applies only to committees established by the faculty or the Faculty Senate and does not apply to committees created by the chancellor, by deans, or by others. Faculty committees subject to the provisions of this section may be called committees, boards, or commissions.
- B. A faculty committee reports to the faculty through the University Committee and/or the Faculty Senate.
- C. A majority of the voting members of a faculty committee must be members of the university faculty who do not hold administrative appointments of one-half time or more beyond the level of a department or program.
- D. Actions taken by a faculty committee when the faculty members present do not constitute a majority must be approved either at the next meeting of the committee at which the faculty members constitute a majority or through other procedures established by the committee such as a mail ballot.
- E. Persons not members of the university faculty may serve on faculty committees when appropriate. In particular, provision may be made for representation from the academic staff, students, and administrative bodies.
- F. The faculty or Faculty Senate, or other appointing body to which the faculty or Faculty Senate have delegated authority, may provide for the selection of committee members; the scope of their authority; the rules and regulations for their proceedings; and the form in which the committee’s work should be reported.
- G. Ad hoc faculty committees established by the faculty, Faculty Senate, or other appointing body to which the faculty or Faculty Senate have delegated authority are subject to the general provisions of this chapter.

### 6.02. JOINT GOVERNANCE COMMITTEES.

- A. “Shared governance committees” are committees established in conjunction with academic staff, university staff, and/or student government to address issues of common concern which are not the primary responsibility of the faculty.
- B. A shared governance committee reports to the faculty through the University Committee and/or the Faculty Senate and to other establishing authorities in accordance with their rules.
- C. The rules of the establishing authorities may provide for the selection of committee members; the scope of their authority; the rules and regulations for their proceedings; and the form in which the committee’s work should be reported.

6.04. OTHER COMMITTEES CONCERNED WITH ACADEMIC AND EDUCATIONAL ACTIVITIES.

A. The faculty, Faculty Senate, or other appointing body to which the faculty or Faculty Senate have delegated authority may establish committees that are not faculty committees as defined in 6.01. or shared governance committees as defined in 6.02. All committees established in this chapter shall be referred to as Chapter 6 committees.

B. When a committee established by the faculty, Faculty Senate, or other appointing body to which the faculty or Faculty Senate have delegated authority that is not subject to the provisions of 6.01. considers issues related to academic matters, decisions shall be restricted to a subcommittee consisting of the faculty members of the committee. Decisions of the faculty subcommittee about academic matters cannot be overturned by the full committee. Disputes about identifying issues as academic shall be resolved by the University Committee.

C. Ad Hoc Committees are working groups established to focus on a targeted purpose for a set duration of time. If the objectives and responsibilities of an ad hoc committee affect one or more shared governance groups, the appointing authority shall apply shared governance principles to the membership and functions of the committee. To ensure observance of shared governance principles, the appointing authority shall consult with the relevant group(s) prior to charging or appointing any ad hoc committees. Disputes as to whether an ad hoc committee should be deemed to be shared governance in scope shall be resolved by the University Committee, after appropriate consultation with the Academic Staff Executive Committee, the Central Committee, and/or Associated Students of Madison. The University Committee's decision may be appealed to the Faculty Senate.

D. Search and Screen Committees are a specific subset of Ad Hoc Committees. Search and Screen Committees are formed for the targeted purpose of hiring a specific position and are charged by the hiring authority. Search and Screen Committees shall observe the shared governance principles related to the position being recruited. Positions with broad university authority shall follow full shared governance principles as a result, as expressed in the previous section.

1. MEMBERSHIP. When a vacancy occurs or is anticipated in the position of academic vice chancellor/provost or at the level of college/school dean a search and screen committee shall be appointed by the chancellor or authorized hiring authority and shall consist of:

- a. A faculty majority, as defined in 6.01.C., appointed after consultation with the University Committee.
- b. Administrators, academic staff, university staff, and students.
- c. A chair designated by the chancellor from among the faculty majority.

2. FUNCTIONS. It is the function of the committee to determine and supply to the chancellor or authorized hiring authority an unranked list of acceptable candidates for the vacant position. It is not necessary that the committee ascertain whether each candidate on the list would accept the position if it were offered. Upon request, the committee shall also report to the chancellor or authorized hiring authority and to the University Committee on the manner in which it conducted its deliberations.

3. FURTHER ACTIONS. If none of the slate of candidates recommended is acceptable to the chancellor or authorized hiring authority and the Board of Regents, or if all acceptable

candidates decline, the committee may be requested to submit a new list of acceptable candidates, or a new search and screen committee may be appointed.

[Procedures for the selection of the chancellor conform to Regent policy.]

E. Committees concerned with Academic and Educational Activities.

1. Appropriate faculty bodies shall be consulted before other committees concerned with academic and educational activities are established. The appropriate body for campus-level consultation is the University Committee, and the appropriate bodies for school- and college-level consultation are the school or college academic planning councils.
2. Faculty members serving on campus-level committees established under the provisions of 6.04.E. should be selected in consultation with the University Committee.
3. Such committees should not normally be established if there is a faculty committee or a committee established by the faculty whose responsibilities cover the academic and educational matters of concern.

6.05. SELECTION OF MEMBERS FOR COMMITTEES.

- A. Unless other provision for selection is made, the Committee on Committees appoints faculty members of Chapter 6 committees, after such consultation with the chancellor or provost as may be appropriate.
- B. Representatives of the academic staff on Chapter 6 committees shall be selected according to procedures established by the academic staff governance system.
- C. Representatives of the classified staff on Chapter 6 committees shall be selected according to procedures established by the classified staff governance system.
- D. Representatives of the students on Chapter 6 committees shall be selected according to procedures established by the recognized student governance organization.
- E. An ex officio member of a Chapter 6 committee is a full member of that committee, with the right to participate and vote, unless legislation specifies otherwise.
- F. The chancellor is an ex officio member of all Chapter 6 committees other than the Faculty Consultative Committee on Financial Emergency, the Commission on Faculty Compensation and Economic Benefits, the Committee on Faculty Rights and Responsibilities, and the University Committee. This ex officio membership shall be without vote unless other provision is made.

6.06. ELECTION OF FACULTY TO COMMITTEES.

- A. Faculty members on Chapter 6 committees to be chosen by election are elected by the university faculty.
- B. Persons who hold administrative appointments of one-half time or more beyond the level of a department or program are not eligible for election to faculty committees.
- C. Unless otherwise provided, nominations for Chapter 6 committee positions that are to be filled by faculty election are made by the Committee on Committees. In addition, any member of the

university faculty may nominate an eligible candidate at the meeting of the senate in February at which the Committee on Committees reports.

D. Primary elections are to be held for those committees for which there are more than twice as many nominees as vacant positions to be filled, in order to reduce the number of nominees to twice the number of positions to be filled. The primary elections are to be scheduled at the time of the regular senate meeting in March.

E. Regular annual elections to faculty committees are to be scheduled at the time of the regular senate meeting in April. For annual elections, the ballot for each committee shall list twice as many eligible nominees as vacancies to be filled in the election.

F. Elections are managed electronically.

#### 6.07. TERMS OF OFFICE.

A. With the exception of the University Committee, or unless otherwise specified, faculty committee members serve during the academic year.

B. The appointing authority may extend the specified term for one year to avoid too great a turnover of committee members in a single year or to facilitate work in progress.

C. Unless otherwise specified, committee members may serve at most two consecutive terms or five consecutive years, whichever is greater.

D. Unless otherwise specified, terms of committee members shall be staggered to the extent possible.

G. A vacancy in an elective committee position is to be reported by the chair of that committee to the secretary of the faculty.

H. If circumstances warrant, and upon consultation with the committee concerned, the University Committee shall appoint, subject to confirmation by the senate, an appropriately qualified replacement to fill the vacancy through the remainder of the term.

#### 6.08. COMMITTEE CHAIRS.

Unless otherwise specified, chairs of all Chapter 6 committees shall be faculty members. The chairs of all elected faculty committees are chosen by the members of the respective committees unless other provision is made. The chairs of all appointed Chapter 6 committees shall be designated by the authority appointing the faculty members unless other provision is made. Committees that elect their own chair shall do so on the call of the outgoing chair.

#### 6.09. COMMITTEE REPORTS, RECORDS, RECOMMENDATIONS, AND POLICIES.

A. All Chapter 6 and ad hoc faculty committees shall report to the University Committee in writing at least annually. These reports shall be submitted to the Faculty Senate for its information. There shall be an opportunity for senators to ask questions regarding these reports. If a committee



includes academic staff and/or student representatives, then the represented governance bodies shall also receive copies of the report.

B. All Chapter 6 and ad hoc faculty committee records and reports are official university records, and they may not be destroyed or discarded without the consent of the university archivist. When chairs of faculty committees wish to be relieved of files, they shall transfer all material to the university archives under any appropriate or desirable restriction of use consistent with state and federal laws. When the chair of a faculty committee changes, the outgoing chair shall transfer active files and other appropriate information to the new chair.

C. If a committee makes a recommendation or proposes a resolution for action by the Faculty Senate, the vote of the faculty members on the committee on the recommendations or proposed resolution shall be reported to the Faculty Senate along with the total committee vote.

D. A committee may seek changes to its charge by presenting a proposal to the University Committee.

E. Chapter 6 committees shall maintain a written statement of policies and procedures.

#### 6.10. MEETINGS.

A. A faculty committee meets at the call of its chair. A meeting may also be called at the request of a simple majority of members of the committee.

B. Faculty should be familiar with and follow the university's open meetings and open records policies, which will also be communicated to committee chairs as part of the committee confirmation letter.

C. Meeting agendas should be prepared and distributed in a timely manner by the chair (in conjunction with any committee staff assigned to the committee). Specific rules governing meeting agendas will be communicated to the chair as part of the committee appointment letter.

D. Quorum rule: For the purposes of this chapter, a quorum exists when a majority of the voting members of a committee is present.

E. Minutes: Will be taken and retained for the meetings of all committees. Guidelines for minutes will be included in committee appointment letters to chairs. Outgoing chairs should give committee documents to the Office of the Secretary of the Faculty to pass on to the next chair.

#### 6.12. APPEAL FROM AND REVIEW OF COMMITTEE DECISIONS.

A. Except as otherwise specified, when these rules delegate authority to a faculty committee to take action without specific senate approval, the affected person or persons may appeal the committee action to the University Committee.

B. Except as provided in 6.12.D., whenever these rules authorize a committee to take action or recommend action to the administration without prior approval by the senate, if one-third or more of the faculty members of the committee believe that contemplated action is of sufficient

importance that it merits consideration by the University Committee or the Faculty Senate, they, or the chair of the committee, shall report this to the University Committee, which shall consult with those faculty members, the committee chair and other appropriate persons. After such consultation, the University Committee may take such action as it considers proper, including submission of the matter to the Faculty Senate.

C. If a matter has been reported to the University Committee under the provisions of 6.12.B. and if the University Committee so requests, all steps to adopt or implement the committee action in question shall be postponed pending consideration by the University Committee and, if the University Committee so decides, by the Faculty Senate.

D. The provisions of 6.12.A., 6.12.B. and 6.12.C. do not apply to actions taken by the following committees: Committee on Committees, Divisional Committee Review Council, Faculty Rights and Responsibilities, Consultative Committee on Financial Emergency, Honorary Degrees, Kemper Knapp Bequest, Lectures, Search and Screen, and University Press.

6.24. ARCHIVES COMMITTEE. (See also Faculty Legislation II-500.)

A. MEMBERSHIP. The Archives Committee consists of the following members:

1. Three faculty members appointed for three-year terms.
2. One academic staff member.
3. Chair of the Library Committee.
4. Director of the University General Library System.
5. Director of the State Historical Society.
6. University archivist, ex officio nonvoting.
7. Secretary of the faculty, ex officio nonvoting.
8. Provost, ex officio nonvoting.
9. Secretary of the academic staff, ex officio nonvoting.

B. FUNCTIONS. Determines the policies governing the control and use of the university archives.

6.25. BUDGET COMMITTEE.

A. MEMBERSHIP. The Budget Committee shall consist of the following members, to serve staggered terms of four years, except that student terms shall be two years and initial terms of all members shall range from one to four years to create a staggered rotation.

1. Four faculty members.
2. Two academic staff members.
3. Two university staff members.
4. Two students, to include both graduate and undergraduate students.

5. Ex officio non-voting members: campus budget director; chancellor or designee; provost or designee; and vice chancellor for finance and administration or designee.

Each shared governance group shall determine its own criteria for committee membership. However, there may only be one representative per school, college, or division from each group. No department/unit shall have more than one member on the committee. The shared governance secretaries and student shared governance coordinator shall confer to address any departmental or other diversity concerns prior to finalization of the committee roster and at the time of selecting replacement members.

In addition, committee members shall be chosen who have experience with, expertise on, or demonstrated interest in learning about and becoming a campus resource about budgetary matters.

The University Committee shall designate the chair from among the faculty members. A co-chair from another governance group may be elected as well.

B. FUNCTIONS.

1. Advises and makes recommendations to the chancellor, the provost, and the vice chancellor for finance and administration on institutional budget issues, long-range financial strategies, state biennial budget proposals, and allocations to schools, colleges, and divisions.
2. Advises the shared governance executive committees on issues of budgetary impact and the public position to be taken on budgetary issues.
3. Meets regularly with vice chancellor for finance and administration.
4. Serves as a resource for schools/colleges, departments, and others on matters related to the budget.
5. Consults with and advises other committees, such as school/college academic planning councils and campus planning committees, relating to institutional-level budgetary matters. The committee may also recommend the creation of ad hoc committees on budget-related matters.
6. Reports to the Faculty Senate, Academic Staff Assembly, University Staff Congress, ASM Student Council, and their respective executive committees upon request.

Members on this committee are expected to become knowledgeable resources on the campus budget. Meetings are expected to be monthly or as needed. Some meetings, especially at the beginning of the academic year, may be significantly longer to allow time for understanding the structure of the budget and the process by which it is constructed and finalized.

6.26. ATHLETIC BOARD.

A. MEMBERSHIP. The Athletic Board consists of the following members:

1. Twelve faculty members who shall have one vote each and shall be appointed by the University Committee after consultation with and approval of the chancellor.
2. Two members of the academic staff, who shall have one vote each and shall be appointed by the Academic Staff Executive Committee after consultation with and approval of the chancellor.

3. Two members of the classified staff, who shall have one vote each and shall be appointed by the Classified Staff Executive Committee after consultation with and approval of the chancellor.
4. Four alumni each with one vote who shall be appointed by the Wisconsin Alumni Association after consultation with the chancellor and the chair of the Athletic Board.
5. Three student memberships with one vote each. Two shall be held by students selected by the organization representing UW-Madison students; one shall be shared by two students elected by the organization representing UW-Madison student athletes. Of the two student athletes, one shall be a member of a women's team and one a member of a men's team.
6. One non-voting representative of the Division of Recreational Sports.

B. TENURE OF APPOINTMENTS.

1. The academic staff, classified staff, and faculty members shall serve four-year terms and may be reappointed for one additional four-year term. Faculty representatives to the NCAA, the Big Ten and Western Collegiate Hockey Association and other faculty members of the Athletic Board performing extraordinary responsibilities may be appointed on an annual basis beyond two four-year terms. The terms of faculty members shall be staggered. A faculty, academic staff, or classified staff member who takes a leave of one year or less during a four-year term may serve out the remainder of his or her term, if any, upon returning to university service. Temporary replacements of faculty members shall be appointed by the University Committee in consultation with and approval of the chancellor. Temporary replacements of the academic staff member shall be appointed by the Academic Staff Executive Committee in consultation with and approval of the chancellor. Temporary replacements of the classified staff member shall be appointed by the Classified Staff Executive Committee in consultation with and approval of the chancellor.
2. Alumni members shall serve four-year terms and may not be reappointed. Their appointments shall be staggered.
3. Student members shall serve one-year terms and may be reappointed.

C. SELECTION OF THE CHAIR OF THE BOARD AND OF FACULTY REPRESENTATIVES TO INTERCOLLEGIATE ATHLETIC ORGANIZATIONS. The chair of the Athletic Board and the university's faculty representatives to the NCAA, the Big Ten and the Western Collegiate Hockey Association shall be faculty members of the board and shall be selected by the chancellor in consultation with the University Committee.

D. FUNCTIONS. The Athletic Board exercises the authority of the faculty over intercollegiate athletics, subject to the review, direction and control of the Faculty Senate and of the faculty itself. The Athletic Board has the responsibility and authority to take all action appropriate to the supervision of the intercollegiate athletic program, including but not limited to the following:

1. Establishes and implements academic and other eligibility standards for recruitment of student athletes;
2. Establishes and implements academic standards, such as grade point and class attendance, and other requirements for participation in intercollegiate athletics;

3. Oversees the Division of Intercollegiate Athletics' systems for providing student athletes with academic services, and monitors the academic progress of student athletes;
4. Establishes and implements policies on equity and nondiscrimination;
5. Reviews and approves schedules for athletic events, including participation in all postseason events;
6. Participates actively in the search-and-screen process for head coaches and senior departmental administrators; approves the employment contracts of such persons. The board initiates personnel recommendations, which are subject to the approval of the chancellor and the Board of Regents; if such recommendations are disapproved, the authority to make further recommendations reverts to the Athletic Board;
7. Sets criteria to be applied in evaluating the performance of Division of Intercollegiate Athletic staff; reviewing and approving the evaluations of head coaches and senior departmental administrators and approving their contract renewals;
8. Approves awards and prizes;
9. Sets policy for and approval of uses of Division of Intercollegiate Athletic facilities;
10. Participates actively in the development of fiscally responsible departmental budgets and approves them for recommendation to the chancellor;
11. Approves prices and policies for tickets for Division of Intercollegiate Athletic events;
12. Monitors compliance with all rules and regulations of the NCAA, Big Ten and WCHA; reviews and approves petitions to the NCAA, Big Ten, and WCHA; takes appropriate action on proposed legislation by the NCAA, Big Ten and WCHA; certifies to the NCAA, Big Ten and WCHA compliance with their eligibility requirements.

E. REPORTS TO THE FACULTY SENATE AND THE UNIVERSITY COMMITTEE.

1. The board shall report any proposed changes in Athletic Board policies and procedures and any contemplated action that would be an exception to board policies and procedures to the University Committee and the chancellor.
2. If a matter has been reported to the University Committee as provided above, and if the University Committee so requests, the board shall postpone action or implementation relating to the matter pending consideration and action by the University Committee and, if the University Committee so decides, by the Faculty Senate.

6.27. CAMPUS DIVERSITY AND CLIMATE COMMITTEE

A. MEMBERSHIP. The Campus Diversity and Climate Committee shall consist of the following members:

1. Four faculty
2. Four academic staff
3. Four university staff

4. One postdoctoral scholar (research associate, postdoctoral fellow, or postdoctoral trainee), appointed by the Office of Postdoctoral Studies (VCRGE).
5. Four students
6. Two members representing community interests beyond campus appointed by the chancellor
7. Two members representing community and/or alumni interests appointed by the Wisconsin Alumni Association
8. The Vice Provost for Diversity & Climate / Chief Diversity Officer, ex officio, non-voting
9. Faculty, staff, alumni, and community representatives appointed under A.1, A.2, A.3., A.6., and A.7. shall serve three-year staggered terms, and may be reappointed to second consecutive three-year terms. Postdoctoral scholars and students selected under A.4. and A.5. shall serve renewable one-year terms.
10. The committee shall elect two co-chairs. One co-chair shall be elected from among the faculty members appointed pursuant to section A.I. The second co-chair shall be elected among the other shared governance groups appointed pursuant to Section A.2, A.3, and A.5.

#### B. FUNCTIONS

1. This shared governance body advises the administration, faculty, staff, and students on campus diversity and climate policy, which as noted in the UW-Madison Institutional Statement on Diversity, is a source of strength, creativity, and innovation for this campus. The CDCC values the contributions of each person and respects the profound ways their identity, culture, background, experience, status, abilities, and opinion enrich the university community. As part of that community, the CDCC is committed to the pursuit of excellence in teaching, research, outreach, and diversity as inextricably linked goals.
2. Works collaboratively with and advises the Vice Provost for Diversity and Climate/Chief Diversity Officer to provide direction and accountability for the implementation of university diversity plans.
3. Provides for faculty, staff and student participation in long-range planning and serves as a gateway of information to and from shared governance communities.
4. Reviews campus committees pursuing discrimination goals regarding missions and coordination.
5. Meets with campus leadership to discuss policy and progress on climate and diversity.
6. Works with the Office of the Vice Provost for Diversity and Climate/Chief Diversity Officer to plan the annual campus-wide policy and progress forum.
7. Makes policy recommendations.
8. Reports annually to the Faculty Senate, Academic Staff Assembly, University Staff Congress, and current student governance body.
9. Provides updated reports to all shared governance groups of the students, staff, faculty and to the general public.

#### 6.28. CAMPUS PLANNING COMMITTEE.

- A. MEMBERSHIP. The Campus Planning Committee shall consist of the following members:

1. Four faculty members, one from each faculty division, appointed by the divisional executive committee for four-year terms. Two members shall be appointed in each odd-numbered year.
2. Two faculty members, appointed by the University Committee for four-year terms, who shall also serve on the University Academic Planning Council.
3. One faculty member to represent environmental concerns, appointed by the University Committee with confirmation by the senate, to serve for a four-year term.
4. One faculty member, appointed by the Arboretum Committee from among its current membership.
5. The chancellor or designee of the chancellor, who shall chair the committee.
6. Three deans appointed by the chancellor.
7. One academic staff member.
8. One classified staff member.
9. One student.
10. One non-voting member representing each of the following committees. The member shall be selected by each committee from among its current or recent past membership:
  - a. Campus Transportation Committee
  - b. Information Technology Committee
  - c. Library Committee
  - d. Recreational Sports Board
  - e. Committee on Women in the University
11. The Associate Vice Chancellor for Facilities Planning and Management, ex officio, and a representative of the Space and Remodeling Policies Committee, both nonvoting.

B. FUNCTIONS. The committee shall advise the chancellor on long-range development plans, building priorities site selection, and aesthetic criteria, regarding facilities for research, instruction, recreation, parking and transportation, and other university functions.

C. PROCEDURES. The procedures followed by the committee shall include the following: If the committee is considering a site for new construction or significant change in use of an existing facility, all departments and programs located in close proximity to the site or facility shall be informed of this consideration in a timely fashion so that there will be a reasonable opportunity to address the committee.

#### 6.30. CAMPUS TRANSPORTATION COMMITTEE.

- A. MEMBERSHIP. The Campus Transportation Committee shall consist of the following members:
1. Three faculty members appointed for three-year terms.
  2. Three academic staff members.

3. Three students.
4. Three classified staff members.
5. One member appointed annually by the chancellor to represent the administration.
6. Two nonvoting members, appointed annually by the chancellor to represent, respectively, the Transportation Services Office and the Division of Facilities Planning and Management.

B. FUNCTIONS.

1. Provides advice and recommendations to the administration and all governance bodies on policies and budgetary matters, including rates, relating to all aspects of pedestrian and motorized and nonmotorized vehicular transportation and parking on the campus.
2. Interprets policies related to transportation and parking adopted by governance bodies.
3. Ensures appropriate consultation of governance bodies regarding proposed changes in any policies.
4. Initiates and recommends projects for addressing campus transportation needs including projects to enhance pedestrian, bicycle, bus, and automobile access to the campus. Such recommendations are to be considered in detail by the Division of Facilities Planning and Management, or other appropriate divisions of the university, and the Campus Planning Committee.
5. Provides representation on all building committees for projects that include or affect transportation facilities.
6. Creates subcommittees to address issues related to particular aspects of the campus transportation system. (The Bicycle-Pedestrian Subcommittee was formally attached to the Campus Transportation Committee [CTC] by senate action, and is chaired by a member of the CTC.)

C. BICYCLE/PEDESTRIAN SUBCOMMITTEE

1. MEMBERSHIP: this four person subcommittee shall consist of:
  - a. One faculty member selected by and from the Campus Transportation Committee (CTC) from the CTC
  - b. One academic staff member selected by and from the CTC
  - c. One classified staff member selected by and from the CTC
  - d. One student member selected by and from the CTC

The subcommittee shall elect its own chair from among its own members.

2. FUNCTIONS. The Bicycle/Pedestrian Subcommittee advises the Campus Transportation Committee, the administration, and staff on programs and policies pertaining to the development of bicycle and pedestrian ways and their associated facilities. The subcommittee encourages transportation to campus and on campus by bicycle, public transit, and walking. The encouragement takes the form of promoting safety, convenience, and economy of these modes.



## 6.31. COMMITTEE ON DISABILITY ACCESS AND INCLUSION

### A. MEMBERSHIP.

1. Three faculty
2. Three academic staff
3. Two university staff
4. Two students (one undergraduate and one graduate or professional school student)
5. ADA Coordinator (Ex Officio voting)
6. McBurney Disability Resource Director (Ex Officio voting)
7. Office for Equity and Diversity Disability Coordinator/Employment (Ex Officio voting)
8. Facilities, Planning and Management Accessibility Specialist (Ex Officio voting)
9. Digital Technology Accessibility (Associate) Director(Ex Officio voting)

The committee relies on expertise from a variety of offices that work in the area of access and accommodation, including but not limited by enumeration to: Athletics; Division of Diversity, Equity and Educational Achievement; Division of Student Life; Libraries; Office of Admissions and Recruitment; Office of Human Resources; Office of Legal Affairs; Recreational Sports; Teaching Academy; Transportation Services; Undergraduate Advising; University Health Services; University Housing; University Marketing; Vice Chancellor for Research and Graduate Education/Graduate School; Wisconsin Union.

The committee shall select its own chair from among the faculty members on the committee. The committee may select a co-chair from among the other voting, non-ex officio members. Terms of faculty and staff members shall be three years; terms of student appointees shall be one year. Each committee member will serve on the main committee and at least one subcommittee.

### A. FUNCTIONS

1. Advise the University ADA Coordinator and relevant institutional units with primary responsibility for ADA compliance, and support their work to ensure the policies, programs, and services of the institution are accessible for students, employees, and guests of the university who have disabilities.
2. Guide or contribute to assessment outcomes leading to improvements in the campus experience.
3. Promote educational activities that support an inclusive campus community and compliance with laws relating to individuals with disabilities.
4. Review applicable policies and practices. Recommend new policies, practices, or changes to existing policies or practices to campus governance bodies or institutional leaders, as appropriate.
5. Lead and/or participate in university initiatives designed to measure campus climate, increase the diversity of the campus community, and improve the experiences of people with disabilities.

### B. SUBCOMMITTEE ON INSTRUCTIONAL ACCESS

Instructional access includes but is not limited to classroom, laboratory, internship, externship, study abroad and field experiences; admission and application processes; grading; curriculum requirements.

1. Membership:

- a. One faculty (co-chair)
- b. One academic staff
- c. One student
- d. McBurney Director (co-chair)
- e. Division of Student Life representative
- f. Digital Technology Accessibility (Associate) Director
- g. Libraries representative
- h. Office of Admissions and Recruitment representative
- i. Teaching Academy representative
- j. University Health Services representative
- k. Vice Chancellor for Research and Graduate Education or designee

2. Functions

- a. Review policies and procedures and recommend changes to ensure the instructional environment is accessible to students with disabilities.
- b. Develop and/or recommend best practices and training for instructors on accessible and inclusive instructional design.

C. UBCOMMITTEE ON EMPLOYMENT ACCESS

Employment Access includes but is not limited to matters concerning the recruitment and retention of employees with disabilities, policies regarding the provision of reasonable accommodations in the workplace, and education and training regarding workforce members with disabilities.

1. Membership:

- a. One faculty (co-chair)
- b. One academic staff
- c. One university staff
- d. Office for Equity and Diversity Disability Coordinator/Employment (co-chair)
- e. Facilities, Planning and Management Accessibility Specialist
- f. Division of Diversity, Equity and Educational Achievement representative
- g. Office of Human Resources representative
- h. Office of Legal Affairs representative
- i. UW Marketing representative

D. SUBCOMMITTEE ON PHYSICAL AND DIGITAL ACCESS

Physical and technology access includes but is not limited to ensuring that the physical and digital environment and processes that underlie these environments (i.e., procurement, training, utilization policies, etc.) are accessible to students, employees, and visitors with disabilities.

1. Membership:

- a. One faculty (co-chair)

- b. One academic staff
- c. One university staff
- d. One student
- e. McBurney Disability Resource Director or designee
- f. Facilities, Planning and Management Accessibility Specialist
- g. Digital Technology Accessibility (Associate) Director (co-chair)
- h. Libraries representative
- i. Recreational Sports representative
- j. Athletics representative
- k. Transportation Services representative
- l. Housing representative
- m. Wisconsin Union representative
- n. UW Marketing representative
- o. UWPD representative

6.32. COMMITTEE ON COMMITTEES.

A. MEMBERSHIP. The Committee on Committees shall consist of the following members:

1. Ten members: four elected by the Faculty (one from each faculty division); two appointed by and from the University Committee; and one member from each faculty division appointed by the respective divisional executive committees.
2. The members elected by the Faculty shall serve four-year terms
3. The members from the University Committee shall serve one-year terms and may be reappointed.
4. The members appointed by the divisional executive committees shall serve four-year terms

B. FUNCTIONS.

1. In accordance with 6.02.A., appoints faculty members of Chapter 6 committees unless other provision for selection is made.
2. Appoints chairs of appointed Chapter 6 committees after such consultation with the chancellor or provost as may be appropriate.
3. In accordance with 6.06.C., nominates two faculty members for each place seat to be filled by faculty election on an elected Chapter 6 committee. Its nominees shall be announced at a meeting of the senate in February. Additional nominations may be made from the floor at that meeting. The election shall be held as specified in 6.06.

4. With the assistance of the secretary of the faculty, maintains a record of each faculty member's service in governance and other information relevant to the selection of faculty for committee service and other governance responsibilities.
5. The Committee on Committees members from the University Committee shall not participate in the selection of the nominees for the University Committee.

6.34. FACULTY COMPENSATION AND ECONOMIC BENEFITS, COMMISSION ON.

A. MEMBERSHIP. The Commission on Faculty Compensation and Economic Benefits shall consist of the following members:

1. Nine faculty members elected for three-year terms. Not more than three members shall be from a single faculty division. At least two members shall be nontenured faculty members at the time of their election. For purposes of coordination, the chair of the University Committee or his/her designated representative shall be an ex officio nonvoting member.
2. No elected member of the commission may serve concurrently on the University Committee.

B. FUNCTIONS.

1. Concerns itself primarily with improving economic benefits for the faculty. Matters of governance, including decisions affecting individual faculty concerning recruitment, retention, promotion, merit increases, and workloads, are reserved to the department, school, and college faculties.
2. Prepares for the information of the faculty, studies of faculty economic needs and desires, including such comparative data from other universities and professional fields as it deems necessary.
3. Prepares for the Faculty Senate, recommendations concerning faculty compensation and economic benefits for transmission to the administration, the Board of Regents, the governor, and the legislature.
4. Represents the faculty in discussions, hearings, and other appropriate settings to present faculty policy recommendations and requests dealing with faculty compensation and economic benefits.
5. Coordinates its activities with those of the Academic Staff Committee to ensure concerted action on economic issues common to faculty and academic staff.

6.36. FACULTY CONSULTATIVE COMMITTEE ON FINANCIAL EMERGENCY.

A. MEMBERSHIP. The Faculty Consultative Committee on Financial Emergency shall consist of the following members:

1. One member selected by and from the membership of each of the four divisional executive committees.
2. Two members selected by and from the membership of the University Committee.

3. One member selected by and from the membership of the Commission on Faculty Compensation and Economic Benefits.

The chair shall be appointed by the University Committee. The selection of the committee shall be completed during the autumn term of each year and shall be reported promptly to the faculty.

B. FUNCTIONS. The committee shall function as specified in UWS 5.04 through 5.06, and Chapter 10 of these rules.

#### 6.38. COMMITTEE ON FACULTY RIGHTS AND RESPONSIBILITIES

A. MEMBERSHIP. The Committee on Faculty Rights and Responsibilities shall consist of the following members:

Nine faculty members elected by the faculty at large. At least one and no more than three members shall be from a single division. Three members shall be elected each year to serve three-year terms.

B. FUNCTIONS.

1. Deals with allegations of faculty misconduct referred to it by the vice chancellor for academic affairs and provost and makes recommendations in accordance with the provisions of Chapter 9.

2. Serves as the review committee on nonrenewal decisions. It shall function in accordance with the provisions of Chapter 7 and UWS 3.08.

3. Serves as the hearing committee in cases of layoff due to financial emergency (as defined in UWS 5.02). It shall function in accordance with the provisions of UWS 5.12 and 5.13 and Chapter 10 of these rules.

4. Serves as the hearing committee in dismissal cases. It shall function in accordance with the provisions of Chapter 9.

C. DISQUALIFICATIONS.

1. In addition to the provisions in UWS 4.06, members of the committee may disqualify themselves from participation in any hearing because of a conflict of interest or because of unavailability for the duration of the case before it.

2. If any members of the committee disqualify themselves, or are disqualified, the University Committee shall select replacements for that particular hearing from among members of the university faculty, except when the disqualifications have occurred after the hearing has commenced. Any such disqualification does not create a vacancy on the committee, but the replacement member(s) shall sit on the committee until termination of the case.

#### 6.40. COMMITTEE FOR GAY, LESBIAN, BISEXUAL, TRANSGENDER, AND QUEER PEOPLE IN THE UNIVERSITY

A. MEMBERSHIP:

1. Five faculty members appointed for three-year terms.
2. Two academic staff members appointed for three-year terms.
3. Two university staff members appointed for three-year terms.
4. One postdoctoral scholar (research associate, postdoctoral fellow, postdoctoral trainee), appointed by the Office of Postdoctoral Studies (VCRGE).
5. One graduate and two undergraduate students, appointed by the recognized student governance organization.
6. A representative appointed by the Chief Diversity Officer, ex officio, non-voting.
7. The Dean of Students or a designee appointed by the Dean of Students, ex officio, non-voting.
8. The Director of the LGBT Studies certificate, ex officio, non-voting.
9. The chair shall be elected from among the faculty members appointed pursuant to section A.1. Any voting member of the committee may be appointed to serve as co-chair.

B. FUNCTIONS:

1. Recommends to administrative offices and governance bodies changes in university priorities, policies, practices, and programs that advance equity and diversity across the spectrum of gender identity and expression and sexual orientation.
2. Consults and collaborates with administrative offices and governance bodies to advocate for an inclusive and respectful campus climate and culture for faculty, staff, and students across the spectrum of gender identity and expression and sexual orientation.
3. Evaluates and monitors the status of GLBTQ members of the university community.

6.41. COMMITTEE ON HONORARY DEGREES

A. MEMBERSHIP. The Committee on Honorary Degrees consists of the following members:

1. The president of the University of Wisconsin System, or his/her designee.
2. The chancellor, or his/her designee.
3. Ten members appointed by the chancellor for terms of one year each, either from the faculty, or from among the deans or other administrators of the several schools or colleges.
4. Sixteen faculty members, one appointed by each divisional executive committee each year for a four-year term.

The chair shall be appointed by the University Committee in consultation with the chancellor.

B. FUNCTIONS. Nominates candidates for honorary degrees from the university upon the recommendation of a department, school, or college.

1. When names of proposed candidates for honorary degrees are presented to the committee from sources other than a department, school, or college, such names are first

referred by the chair of the committee to appropriate departments, schools, or colleges of the university for recommendation.

2. The committee shall give preference in its nominations to persons who are connected in some significant way with the state or with the university.

C. PROCEDURES.

1. At the executive session of the Faculty Senate meeting at which the Honorary Degrees Committee reports, a faculty member may nominate a candidate for an honorary degree only if that person's name has previously been submitted to the committee.

2. The presentation of the Honorary Degrees Committee shall be followed by discussion of the names presented. The ballots for honorary degrees shall not be distributed to the senate until the discussion has been completed.

3. A three-fourths affirmative vote of those present and voting on each candidate at the Faculty Senate meeting at which the names of candidates are acted on is required to approve the nomination of a candidate for an honorary degree.

4. Prior to approval by the Board of Regents and public announcement by the administration, all matters relating to honorary degrees are confidential.

6.42. INFORMATION TECHNOLOGY COMMITTEE.

A. MEMBERSHIP. The Information Technology Committee shall consist of the following members:

1. Ten faculty members, two from each faculty division and two at-large faculty members appointed for four-year terms.

2. Three academic staff members. No member of the Division of Information Technology staff may serve as a voting member of the committee.

3. Three classified staff members. No member of the Division of Information Technology staff may serve as a voting member of the committee.

4. Three students, at least one of whom shall be an undergraduate student and at least one a graduate student, to serve one-year terms.

5. Chief Information Officer, ex officio nonvoting.

6. One nonvoting member representing the director of the university General Library System, two nonvoting members representing the vice chancellor for administration, and two nonvoting members representing the provost. These members shall be appointed by the provost.

At the start of each academic year, the University Committee shall appoint a co-chair-elect for the following year from among the faculty members. The co-chair-elect, the current chair, and the immediate past chair shall serve as the ITC leadership team.

B. FUNCTIONS. The Information Technology Committee is the shared governance advisory body for policy and planning for information technology throughout the university. In performing its functions, it shall consult with such groups and individuals as it feels may be able to provide valuable advice. It may request such reports on budgets, personnel policies, and other topics as are

necessary for it to make informed judgments and recommendations. It shall establish such subcommittees as are necessary to carry out its functions.

1. Reviews and makes recommendations on strategic planning for the university's information technology resources.
2. Reviews the performance of information technology facilities and services in supporting and assisting scholarly activities.
3. Receives reports from and provides general direction to committees formed to address specific information technology issues.
4. Monitors technical developments.
5. Consults with and advises appropriate administrative officers on budget and resource allocation matters including charges and funding sources for information technology services.
6. Receives recommendations from departments, deans, and the Division of Information Technology regarding the establishment, abolition or merger of information technology services and facilities supported by university funds, and makes recommendations regarding these actions to the appropriate administrative officers.

6.43. KEMPER K. KNAPP BEQUEST COMMITTEE.

A. MEMBERSHIP. The Kemper K. Knapp Bequest Committee shall consist of the following members:

1. Four faculty members, one appointed by each divisional executive committee for a four-year term.
2. The chancellor or his/her designee.

The chair shall be appointed by the chancellor from among the faculty members appointed as pursuant to Section A.1.

B. FUNCTIONS. Carries out the provisions of the will of the late Kemper K. Knapp.

6.44. LECTURES COMMITTEE.

A. MEMBERSHIP. The Lectures Committee shall consist of the following members:

1. Four faculty members, one appointed by each divisional executive committee for a four-year term.
2. One academic staff member.
3. One student.
4. One academic dean, appointed by the provost.

The chair shall be appointed by the University Committee from among the faculty members.

B. FUNCTIONS.



1. Considers requests for lectures of general interest that are not primarily supplementary to or extensions of programs of instruction provided by colleges, schools, or departments. Application for lectures within the jurisdiction of the committee may be made by departments or other groups of faculty members.
2. Recommends annually to the chancellor a budget for its activities.
3. Exercises such control over the announcement of lectures as it deems necessary and desirable.

6.46. LIBRARY COMMITTEE.

A. MEMBERSHIP. The Library Committee, also known as the University Library Committee, shall consist of the following members:

1. Eight faculty members, two from each faculty division, to serve four-year terms; two of these shall be elected each year by the faculty at large.
2. Two members of the academic staff. No member of the library staff may serve as a voting member of the committee.
3. Two members of the classified staff. No member of the library staff may serve as a voting member of the committee.
4. Three students, at least one of whom shall be an undergraduate student and at least one a graduate student, to serve one-year terms.
5. Four nonvoting library staff members: the director of the General Library System, ex officio; one other member of the chancellor's Library Coordinating Council, elected by the council to serve a two-year term which shall rotate among its members; two academic or faculty library staff members, elected by academic and faculty library staff members to serve two-year terms; one of these shall be elected each year.
6. One nonvoting member from the Office of Budget, Planning, and Analysis and one nonvoting member representing the provost. These members shall be appointed by the provost.

B. FUNCTIONS. The Library Committee is the faculty advisory body for policy and planning for libraries throughout the university including the General Library System. In performing its functions, it shall consult with such groups and individuals as it feels may be able to provide valuable advice. These groups may include but are not limited to the Library Coordinating Council, committees for Memorial Library and the branch libraries, and others concerned with libraries of record and special campus libraries. It may request such reports on library budgets, personnel policies, and other topics as are necessary for it to make informed judgments and recommendations. It shall establish such subcommittees as are necessary to carry out its functions.

1. Reviews and makes recommendations on long range planning for the university's library resources.
2. Reviews the performance of the libraries in supporting and assisting scholarly activities.

3. Monitors technical developments (such as automation or computerization) for the libraries.
4. Consults with and advises appropriate administrative officers on library budget matters.
5. Receives recommendations from departments and deans regarding the establishment, abolition or merger of libraries supported by university funds, and makes recommendations to the chancellor.
6. Gives advice on the allocation of resources among major library units and services.
7. Advises on the appointment of faculty members to search and screen committees for the senior administrative appointments in each major library unit.

6.47. OFFICER EDUCATION COMMITTEE.

- A. MEMBERSHIP. The Officer Education Committee shall consist of the following members:
  1. The provost.
  2. Eight faculty members, one of whom shall serve as the director of Officer Education Programs.
  3. The commandants of the Officer Education Programs, ex officio, nonvoting.
- B. FUNCTIONS. Recommends policy relating to Officer Education Programs.

6.48. RECREATIONAL SPORTS BOARD.

- A. MEMBERSHIP. The Recreational Sports Board shall consist of the following members:
  1. Three faculty members appointed for three-year terms.
  2. Two academic staff members.
  3. Seven student members.
  4. Two classified staff members.
  5. Director of the Division of Recreational Sports, ex officio nonvoting.
  6. One nonvoting representative of the Division of Intercollegiate Athletics.
- B. CHAIR. The chair shall be chosen by the committee from among the faculty members appointed pursuant to section A.1. The committee may also, at its discretion, appoint a student, classified staff member or academic staff member appointed pursuant to A.3. and A.4. to serve as co-chair.
- C. FUNCTIONS.
  1. Advises the administration concerning the development, programming, staffing, maintenance, and financing of recreational sports facilities for faculty, staff, and students.
  2. Initiates actions in matters of budget and personnel for the chancellor.

3. When issues related to academic matters develop, decisions shall be restricted to a subcommittee consisting of the faculty members of the committee. Disputes about identifying issues as academic shall be resolved by the University Committee.

6.50. COMMITTEE ON RETIREMENT ISSUES

A. MEMBERSHIP. The Committee on Retirement Issues shall include the following members appointed for three-year terms:

1. Three active faculty members
2. Three active academic staff members.
3. Three active university staff members.
4. Five retired members appointed by the UW-Madison Retirement Association
5. The chair shall be appointed by the University Committee from among the faculty members appointed pursuant to A.1. Academic staff and university staff appointed pursuant to A.2. and A.3. may be appointed to serve as co-chair.

B. FUNCTIONS.

1. Review and make recommendations on university services relating to retirees.
2. Review and make recommendations on services relating to retirement planning.

6.51. UNDERGRADUATE RECRUITMENT, ADMISSIONS AND FINANCIAL AID, COMMITTEE ON.

A. MEMBERSHIP. The Committee on Undergraduate Recruitment, Admissions, and Financial Aid shall consist of the following members:

1. Six faculty members appointed for four-year terms.
2. Two academic staff members appointed for four-year terms.
3. Two university staff members appointed for four-year terms.
4. Four students appointed for one-year terms.
5. The Vice Provost for Enrollment Management or designee, ex officio nonvoting.
6. The Director of Admissions, ex officio nonvoting.
7. The Director of Financial Aid, ex officio nonvoting.
8. The Vice Provost for Diversity and Climate or designee, ex officio nonvoting.

B. FUNCTIONS.

1. Advises and makes recommendations to the Division of Enrollment Management, and other administrative offices as appropriate, on all policies, procedures, and operations related to undergraduate recruitment, admissions and financial aid.

2. Monitors, reviews, and evaluates new policies and procedures, as well as formulation, substantive modification, implementation, and outcomes of university policies and procedures related to undergraduate recruitment, admissions, and financial aid.
3. Reports annually to the official governance bodies representing the faculty, academic staff, university staff, and students.

6.52. UNIVERSITY ACADEMIC PLANNING COUNCIL.

A. MEMBERSHIP. The University Academic Planning Council shall consist of the following members:

1. The chancellor.
2. The provost, who shall chair the council.
3. The dean of the Graduate School.
4. One administrative member selected by the provost.
5. One member selected by the University Committee from among its current members.
6. One member selected by the Academic Staff Executive Committee from among its current members.
7. One member selected by the Classified Staff Executive Committee from among its current members.
8. Four faculty members, one from each faculty division, selected by the divisional executive committee from departmental nominees after consultation with the Committee on Committees.

For each division making an appointment, the executive committee of each department with membership in that division may nominate one faculty member or second the nomination of a faculty member nominated by another department.

9. Two faculty members selected by the University Committee from school and college nominees in even-numbered years. For each vacancy to be filled by the University Committee, the academic planning council of each school or college may nominate one faculty member or second the nomination of a faculty member nominated by another school or college.
10. Two faculty members selected by the University Committee from school and college nominees in odd-numbered years to serve jointly on the University Academic Planning Council and the Campus Planning Committee. For each vacancy to be filled by the University Committee, the academic planning council of each school or college may nominate one faculty member or second the nomination of a faculty member nominated by another school or college.
11. One student member, nonvoting.
12. The faculty members selected under A.9., A.10., and A.11. above shall serve four-year terms, which shall be staggered.

B. FUNCTIONS.

1. Advises the chancellor and provost on major program decisions, long-term academic plans, and associated campus development and budgetary policies.
2. Addresses university academic issues and provides for faculty participation in long-range planning, and as such
  - a. Oversees the long-range planning process for the academic programs of the university.
  - b. Reviews progress on and initiates selective updates of the recommendations of major planning exercises and documents.
  - c. Identifies and initiates studies of academic issues crossing school and college lines.
3. Assures that appropriate review and consideration is given to requests for new programs; the implementation of proposals for new majors, degrees, degree name changes, departments, schools, or colleges; recommendations concerning the establishment or discontinuation of departments; and academic program evaluation. (See 5.01.A.) As part of this function it
  - a. Assumes responsibility for review and approval of programs as required by statute.
  - b. Following the appropriate college, school, or divisional actions, reviews and approves the titles of degrees.
  - c. Oversees and updates program review procedures, procedures for the evaluation and approval of new program proposals, and the university's overall assessment strategy.
  - d. Assigns the responsibility for reviews of existing programs and new program proposals to the appropriate school, college, or divisional academic planning council.
4. Advises the Campus Planning Committee on the impact of academic priorities on the campus physical development plans.

C. STRUCTURE. The council shall, within six months of its establishment in accord with section A, inform the University Committee and senate of the structure and mechanisms it has established to provide for the functions specified in section B. The council may create subcommittees as needed. Subcommittees must have a faculty majority and may include members who are not members of the council. The University Committee and senate shall be informed of any changes in the structure of the council or the mechanisms it establishes.

6.53. UNIVERSITY CURRICULUM COMMITTEE

A. MEMBERSHIP. The committee shall consist of 12 members, as indicated below. Members shall serve three-year terms, which shall be staggered. The Committee on Committees and the Academic Staff Nominating Committee shall coordinate so that no department has more than one member on the committee.

1. Two faculty members from each division. The Committee on Committees shall give consideration to appointing members who have recently served on their college or school curriculum committee.

2. Four academic staff members with instructional titles. The Academic Staff Nominating Committee shall give consideration to appointing members who teach or have taught more than one different course.

B. FUNCTIONS.

1. Approves courses. Proposals for new credit courses, or for modifications of or discontinuation of existing credit courses, shall be approved by the department (or department-like body), then by the school or college, and finally by the University Curriculum Committee.
2. Review of course offerings. The University Curriculum Committee may review and recommend the alteration or discontinuance of existing credit courses, and the establishment of new courses.
3. Advice on educational policy and planning. On its own initiative or on request, the University Curriculum Committee may advise the chancellor, provost, deans, or other administrative officers of the university on educational policy and planning and their implementation.

6.54. THE UNIVERSITY COMMITTEE.

A. MEMBERSHIP. The University Committee consists of six faculty members, two elected each year for three-year terms. No more than three members of the University Committee shall be from a single school or college, and at least one member shall be from each division.

B. FUNCTIONS.

1. Considers questions concerning the educational interests or policies of the university.
2. On its own initiative, makes studies and recommendations to the faculty or administration concerning educational policy. The administration is encouraged to ask the University Committee for advice. The University Committee may give advice directly to the administration, or refer a matter to the faculty for discussion.
3. Advises on procedures that involve the faculty in making decisions on the organization or reorganization of interdepartmental or interdisciplinary programs of instruction, research, and service, or the creation of new colleges, schools, or institutes involving significant educational programs.
4. Examines any actions taken relating to the university by the Board of Regents, the Board of Visitors, the various faculties or faculty committees, or by other bodies or individuals related to the university.
5. Consults with appropriate administrative officers on budget matters and reports thereon to the faculty.
6. Prepares the agenda for committee-of-the-whole discussion or consideration of matters of general interest to the faculty.
7. Makes timely reports to the faculty on matters completed, pending, or projected.

8. Advises on the appointment of faculty members of search and screen committees and on the procedures used by these committees.
9. Appoints members of appointed faculty committees after consultation with the chancellor.
10. Serves as the faculty's grievance committee under 8.15. and UWS 6.02, except for matters within the jurisdiction of the Committee on Faculty Rights and Responsibilities.
11. Serves as the executive committee of the senate, unless the senate elects another executive committee. In preparing the agenda for senate meetings pursuant to 2.08., if an item has been added to the agenda by request of a senator or ten faculty members, and if the University Committee believes that there is substantial doubt on whether the item falls within the purview of faculty governance as defined in Chapter 1.20. of this document, the following statement shall be printed in the agenda immediately preceding the item itself: "Although the University Committee doubts whether the following agenda item falls within the purview of faculty governance, it has been placed on the agenda so that the senate may consider and decide that question." In such a case, the agenda item shall not be taken up unless the senate by a majority vote determines that it is appropriate for senate consideration.
12. Maintains liaison between faculty and other shared governance bodies.
13. Receives reports as specified by these rules.
14. Performs other functions assigned to it within these rules.

6.56. WOMEN IN THE UNIVERSITY, COMMITTEE ON.

A. MEMBERSHIP. The Committee on Women in the University shall consist of the following members:

1. Six faculty members appointed for three-year terms.
2. Six academic staff members appointed for three-year terms.
3. Six university staff members appointed for three-year terms.
4. One graduate student and one undergraduate student.
5. One postdoctoral scholar (research associate, postdoctoral fellow, or postdoctoral trainee), appointed by the Office of Postdoctoral Studies (VCRGE).
6. The Vice Provost for Diversity and Climate and the director of the Office for Equity and Diversity, ex officio, non-voting.
7. The chair shall be elected from among the faculty members appointed pursuant to section A.1. Any voting member of the committee may be elected to serve as co-chair.

B. FUNCTIONS.

1. Recommends to administrative offices and governance bodies changes in university priorities, policies, practices and programs that would improve the status of women.

2. Collaborates and consults with administrative offices and governance bodies to more fully support gender equity, employee engagement, an inclusive and respectful culture, and diversity.
3. Evaluates and monitors the status of women employees at the university.

6.57. ADVISORY COMMITTEE TO THE OFFICE OF THE DEAN OF STUDENTS.

A. MEMBERSHIP. The Advisory Committee to the Office of the Dean of Students shall consist of the following members:

1. Four faculty members appointed for three-year terms.
2. Four students.
3. Two academic staff members.
4. The dean of students, ex officio nonvoting.
5. A nonvoting representative of the administration appointed by the provost.

B. FUNCTIONS. The Advisory Committee to the Office of the Dean of Students advises the dean of students, the Faculty Senate and the administration on aspects of student life not part of the formal instructional program of the university. The committee:

1. Recommends, encourages and evaluates programs and policies that support a positive learning environment and student learning outside the formal instructional program.
2. Recommends, encourages and evaluates programs and policies regarding the student social environment including issues of conduct, health and safety, harassment, and substance abuse.
3. Studies and makes recommendations regarding student academic and nonacademic misconduct and related policies, rules, and procedures. The committee does not hear or consider whether an existing policy or rule ought to be applied in any individual case.
4. Advises the dean of students on organization and priorities for programs under her/his direction.

6.59. UNIVERSITY RESEARCH COUNCIL

A. MEMBERSHIP. The University Research Council (URC) shall consist of the following members, serving three-year staggered terms. Each shared governance body will select representation from across campus with substantial experience in the conduct of research. URC members are expected to represent the interests of the university community at large.

1. Eight faculty, selected as follows:
  - a. One faculty member from each of the four divisions, elected by all faculty from slates prepared by the respective divisional committee.
  - b. One faculty member appointed from each of the four divisions by the University Committee with input in the form of a slate of nominees presented by the Committee on Committees.



2. Two academic staff members.
3. One university staff member.
4. One member of the University Committee (selected annually).
5. The Vice Chancellor for Research and Graduate Education (ex officio, non-voting), who shall chair.
6. The Associate Vice Chancellors for Research (ex officio, non-voting)
7. The Dean of the Graduate School (ex officio, voting).

B. FUNCTIONS.

1. Advises the vice chancellor for research and graduate education (VCRGE) on the overall UW-Madison research enterprise, including, but not limited by enumeration, to:
  - a. Strategic planning to maximize the research productivity of faculty and staff, and to support highly innovative, transformative research.
  - b. Allocation of flexible resources, including resources provided by WARF, such as support of research competitions, matching funds for grants, funding for recruitment and retentions, and honoring research contributions.
  - c. Major campus-wide research programs and issues.
  - d. Compliance processes and committees.
  - e. Approving policies governing five-year reviews for VCRGE centers to ensure that centers remain at the leading edge of new discoveries. Members of the URC will provide advice to the VCRGE regarding the outcome of Center reviews.
  - f. Review and approval of the establishment of new, and closing of existing, VCRGE centers.
2. Advises and consults with the Office of Research Compliance, the Office of Research Policy and Integrity, the Office of Research and Sponsored Programs, and other safety and compliance units.
3. Receives and processes inquiries and complaints from research investigators, including faculty, staff, employees-in-training, and students, regarding institutional processes, policies, and procedures that adversely impact the conduct of their research, ensuring effective and rapid resolution of problems involving research, safety, and compliance.
4. Brings to the attention of the VCRGE views and opinions of the faculty and staff. In turn, members are responsible for assisting the Office of the VCRGE in helping to communicate the research resources of the VCRGE office.
5. Advises and counsels the VCRGE and the chancellor in the formulation of the annual request to the WARF board of trustees. The VCRGE and chancellor shall routinely seek the advice and counsel of the committee regarding the allocation and disposition of WARF funds. Ensures that the disposition of WARF funds by the university is transparent to the WARF board of directors. The committee, or its individual members, shall be available to the WARF board of trustees, upon request, as direct and independent advisors and as such shall share with the trustees their expertise and insight.
6. Creates subcommittees to study specific topics, as needed.

#### 6.60. HEALTH CARE ADVISORY COMMITTEE

##### A. MEMBERSHIP.

1. Four faculty members appointed for three-year terms.
2. Two academic staff members appointed for three-year terms.
3. Two university staff members appointed for three-year terms.
4. Seven student members appointed for one-year terms.
5. Six ex officio members from University Health Services (or their designees):
  - a. UHS Communications Manager
  - b. UHS Director of Administrative Services
  - c. UHS Director of Medical Services
  - d. UHS Co-Director of Mental Health Services
  - e. UHS Director of Environmental & Occupational Health
  - f. UHS Executive Director

##### B. Functions:

- a. To promote and enhance health and community on campus;
- b. Act as a liaison between students and other members of the university community to identify and address the health care needs of the student population;
- c. Act as an advisory resource to University Health Services and other members of the university community who are involved in producing and disseminating resources that promote healthy people, families and communities.

#### 6.61. IMMIGRATION AND INTERNATIONAL ISSUES COMMITTEE

##### A. MEMBERSHIP.

1. Four faculty
2. Two academic staff
3. Two university staff
4. Three students, including at least one graduate student employee and at least one undergraduate.
5. The Vice Provost and Dean of the International Division or designee, ex officio nonvoting.
6. The Director of International Student Services or designee, ex officio nonvoting.
7. The Director of International Faculty & Staff Services or designee, ex officio nonvoting.
8. The Director of the Multicultural Student Center or designee, ex officio nonvoting.
9. The Director of the Immigrant Justice Clinic or designee, ex officio nonvoting.
10. Up to two community representatives as deemed appropriate by the committee, nonvoting.

The committee shall select its own chair from among the faculty members on the committee. The committee may select a co-chair from among the other voting members. Terms of faculty and staff members shall be three years; terms of student appointees shall be one year. Whenever possible, the committee strives to arrive at consensus rather than taking formal votes.

##### B. FUNCTIONS

1. Provides general advice and recommendations to the administration and all governance bodies on immigration and international student and staff issues.

2. Considers how immigration policy impacts UW-Madison students, faculty, and staff and then provides guidance to campus leadership, especially offices working with immigration issues.
3. Considers how international policies impact UW-Madison students, faculty, and staff and then provides guidance to campus leadership, especially offices working with international issues.
4. Appoints subcommittees or working groups to study issues, as appropriate.

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## CHAPTER 7: FACULTY APPOINTMENTS

### 7.01. TYPES OF APPOINTMENTS.

A. FACULTY APPOINTMENTS. (See Sec. 36.13 Wis. Stats.; UWS 3.01.) Appointments to the university faculty, as defined in 1.02., are with tenure or are probationary. Faculty appointments carry the following titles: professor, associate professor, assistant professor, and instructor, and are made in accordance with Sec. 36.13 Wis. Stats. and UWS 3.01.

B. TENURE APPOINTMENTS. A tenure appointment is an appointment of a university faculty member as defined in 1.02., which may not be terminated except for cause, for reasons of financial emergency, by resignation, or by retirement. Tenure is granted to all professors and associate professors, and to other members of the faculty in exceptional cases. Tenure is granted only by specific faculty and administrative action as specified in this chapter.

C. PROBATIONARY APPOINTMENTS. A probationary appointment is an appointment as an instructor or assistant professor, held by a member of the university faculty as defined in 1.02. of these rules, during the period of service that precedes determination of tenure status.

### 7.02. DEPARTMENTAL ROLE.

Faculty appointments may be granted only upon affirmative recommendation of a departmental executive committee as provided in Chapter 5, except in the specific situation provided for under UWS 3.08(3) and 7.10. of these Faculty Policies and Procedures. If the appointment is to be divided among several departments, each must make an affirmative recommendation regarding the appointment. One department shall be identified as the principal sponsor of the recommendation for appointment for the purposes of 5.20.A.2. of these rules and this department shall be considered the administrative home. The fraction of a divided appointment in a department and/or the administrative home may be changed only by mutual agreement among the appropriate departmental executive committees, dean(s), and the individual concerned. The appointment must be at the same rank in each department.

### 7.03. RECRUITING AND APPOINTMENTS. (See UWS 3.02 and 3.03.)

A. An initial faculty appointment is an appointment granted to an individual who has not previously held a faculty appointment in the university. An initial appointment may be probationary or with tenure. The provisions of 7.14. and 7.15. of these rules apply to initial appointments with tenure.

B. Faculty recruitment and the selection of individuals to whom appointments may be offered is the responsibility of the departmental executive committee. The procedures shall be consistent with UWS 3.02.

C. Faculty appointments shall be offered only in accordance with the provisions of UWS 3.03 and these regulations and with appropriate administrative approval.

D. Each person to whom a faculty appointment or reappointment is offered shall receive notification of that appointment in accordance with UWS 3.03. In the case of joint appointments, this notice shall be issued by the administrative home department but must include information as to the nature and implications of the joint appointment and the role of all involved departments in guidance, oversight, and evaluation.

E. A part-time appointment is an appointment for the equivalent of an academic year at one-half time or more, but less than full-time, in the university faculty as defined in 1.02. of these rules.

F. If tenure for a part-time or jointly appointed faculty member is recommended by a department, the following procedures shall be followed:

Deans and divisional executive committees shall follow the normal tenure review procedures, as provided elsewhere in this chapter.

A department is responsible for making clear to the dean, to the divisional executive committee, and to the appointee, what continuing commitment would be assumed by granting tenure (see 7.19. of these rules).

7.04. THE MAXIMUM PROBATIONARY PERIOD. (Also see Faculty Legislation II-330 which includes UWS 3.04., 3.06.)

A. The maximum probationary period is defined as the maximum amount of time a faculty member can be appointed in probationary ranks in the university. This period shall be specified for each individual at the time of his/her initial appointment. Except as otherwise provided in UWS 3.04(3) and (4) and in this section, the maximum probationary period is the equivalent of seven years of full-time service in the university in the ranks of instructor or assistant professor.

B. In calculating a person's maximum probationary period, provision shall be made for the appropriate counting of prior service at other institutions and at this institution. The departmental executive committee shall evaluate all such prior service, and shall determine, by mutual agreement with the dean, whether any or all of that prior service is equivalent to service at ranks of instructor or above in this university. All such equivalent previous service, but not to exceed three years, at one-half time or greater, shall be subtracted from the normal seven years, unless programmatic circumstances can be documented to justify otherwise. Prior probationary or tenure service at another institution while a candidate for a doctoral or equivalent terminal degree, by mutual agreement of the dean, the departmental executive committee, and the individual concerned, may be excluded in calculating the maximum probationary period.

C. The maximum probationary period may be decreased by agreement between the candidate and his/her department, if made at the time of the initial appointment and included in the letter of appointment.

D. Each year of service at the rate of at least one-half time but not more than three-quarters time shall count as half of a year, and service at a rate greater than three quarters time shall be counted as a full year. In no case shall the probationary service exceed twelve calendar years.

E. An approved leave of absence differs from a temporary assignment (see 7.20. of these rules). An approved leave of absence is not included in the counting of probationary service, in accordance with the provisions of Sec. 36.13(2)(b)(d) Wis. Stats. A temporary assignment is included in the counting of the probationary service.

F. These provisions do not preclude a recommendation for the granting of tenure or a nonretention decision prior to the expiration of the maximum probationary period.

G. The term "extension" (of the probationary period) has been used at UW-Madison to refer to the practice specified in Faculty Policies and Procedures and in UWS 3.04 as "exclusion," "subtraction," or "non-inclusion" of a period of time in the probationary period. Though the term

“extension of the probationary period” is used below to accord with current usage, the term should be understood to mean literally the exclusion of a period of time from the time counted as within the 7-year maximum probationary period.

H. The maximum probationary period may be extended for an appropriate period in accordance with the provisions of UWS 3.04(3) and these policies. Extensions shall be granted in periods of one or two semesters (for academic year appointments), or six months or one year (for annual appointments).

1. Requests for extension of the probationary period with respect to childbirth or adoption shall be submitted by the faculty member in writing to the vice chancellor for academic affairs and provost (with informational copies to the faculty member’s department chair and dean) within one year of the birth or adoption. Approval of the request for an extension of up to one year is presumed. The provost shall notify the faculty member, department chair and dean of the action taken.

More than one request may be granted because of responsibilities with respect to childbirth or adoption where more than one birth or adoption occurs during the probationary period. Where a leave of absence of six weeks or more has been granted for childbirth or adoption within one year of the birth or adoption, the total extension of the probationary period, for each birth or adoption, resulting from the leave and the provisions of 7.04.H.1. may not exceed one year.

2. Requests for extension of the probationary period on the grounds of significant responsibilities with respect to elder or dependent care obligations, disability or chronic illness or circumstances beyond the control of the faculty member, when those circumstances significantly impede the faculty member’s progress toward achieving tenure, shall be submitted in writing to the vice chancellor for academic affairs and provost on the recommendation of the departmental executive committee(s) and dean(s) and may be granted with the approval of the University Committee.

More than one request pursuant to 7.04.H.2. may be granted. However, the total, aggregate length of time for all requests granted to a probationary faculty member under 7.04.H.2. ordinarily shall be no more than one year.

3. Requests for extensions of the probationary period based on the nature of the duties of an appointment shall be made prior to the time of appointment and, if approved, shall be specified in the initial letter of appointment; or shall be submitted in writing, at the time of a significant and substantial change in duties, to the vice chancellor for academic affairs and provost on the recommendation of the departmental executive committee(s) and dean(s), and may be granted with the approval of the University Committee.

4. Denial of a request shall be based on clear and convincing reasons and shall be in writing.

I. Requests for tenure clock extensions shall be made before the beginning of the sixth year of the probationary period or before the beginning of the year preceding the notice year in a maximum probationary period, unless a birth, adoption, or unforeseen circumstance occurs during that year.

J. Where a leave of absence or extension of the probationary period is granted, the individual's employment contract shall be extended by the same period as the leave or extension.

K. Requests for tenure clock extension shall not be a substitute for the grievance procedures of Faculty Policies and Procedures 8.15. Grievances alleging unfair treatment or failure to follow Faculty Policies and Procedures requirements, which could result in a tenure clock extension, must be filed in accordance with Faculty Policies and Procedures 8.15.

#### 7.05. GUIDANCE AND ANNUAL EVALUATION FOR PROBATIONARY FACULTY.

A. The departmental executive committee shall establish procedures for the guidance and annual evaluation of each probationary faculty member and for the review of probationary appointments (see 7.06. of these rules). A written description of these procedures shall be filed with the relevant dean(s) and the provost. This must include specification of the voting rules of the departmental executive committee. A copy of this description and the departmental and divisional executive committee criteria for the granting of tenure (see 7.14.C. and D. of these rules) shall be given to each probationary faculty member at the time of his/her appointment.

B. Primary responsibility for the guidance of the probationary faculty member shall be assigned to one or more members of the departmental executive committee. The departmental executive committee shall ensure that guidance of probationary faculty members includes implementation of 5.21.E.

1. It is desirable that the faculty member(s) assigned responsibility for the guidance of the probationary faculty member remain the same throughout the probationary appointment unless the probationary faculty member requests a change.

2. In some circumstances it may be desirable to formally include tenured faculty from outside the department in the guidance of probationary faculty, for example in interdisciplinary fields in which no member of the department has expertise close to that of the probationary faculty member.

3. Guidance of probationary faculty should include information and advice on the areas of responsibility of tenure-track professors: research, teaching, service, and outreach. Experts outside the department who can provide specific information and advice on research, teaching and pedagogical effectiveness, and service and outreach should be consulted when appropriate as determined by the probationary faculty member and/or the guidance committee. Guidance committees should monitor teaching responsibilities and service assignments for appropriateness of workload and match of assignment to the probationary faculty member's expertise.

C. Responsibility for developing annual evaluations shall be assigned to a committee made up of members of the departmental executive committee. The probationary faculty member shall be informed of the membership of his/her oversight committee. In the case of joint appointments, executive committees shall establish procedures to coordinate the annual evaluations of probationary faculty members. At least once each year, one or more members of the oversight committee and the department chair shall discuss with the probationary faculty member departmental and divisional committee expectations and his/her progress toward tenure. The



oversight committee shall ensure that the probationary faculty member's file contains all material relevant to effective evaluation including teaching evaluations and copies of publications.

Membership of the oversight committee may change from year to year at the discretion of the department. This policy allows either for separate guidance and oversight committees or for a single committee.

D. Each year, the oversight committee shall provide the departmental executive committee with an annual evaluation of the progress of the probationary faculty member. When a probationary faculty member has been granted an extension(s) of the tenure clock, the annual evaluation should be conducted in the context of the individual's progress toward a tenurable record given the time remaining on the adjusted clock. Following discussion of the evaluation by the executive committee, a written evaluation approved by the executive committee shall be given to the probationary faculty member. The probationary faculty member may respond to the evaluation in writing or may, upon request, address the executive committee regarding the evaluation.

E. The oversight committee shall have primary responsibility, in consultation with the probationary faculty member, for the collection of supporting material and preparation of necessary documentation prior to executive committee review of the probationary appointment (see 7.06. of these rules).

7.06. REVIEW OF PROBATIONARY APPOINTMENTS. (See UWS 3.07.)

A. A probationary appointment may be reviewed by the departmental executive committee at any time; each probationary appointment, however, shall be reviewed by the departmental executive committee long enough in advance of its expiration to meet the time limits for notification of nonretention (see 7.11 of these rules) and to allow administrative actions provided for in these rules. Specifically, departmental executive committees must conduct reviews far enough in advance of the materials deadline for the relevant divisional committee's last meeting of the semester to allow for dossier assemblage and dean's office review. The divisional executive committees and deans shall provide deadlines for departmental recommendations to ensure adequate time for consideration.

B. In recommending the renewal of a faculty member in a probationary appointment, a departmental executive committee should ascertain that progress is being made by the faculty member towards meeting the criteria and standards used in granting tenure.

C. The departmental executive committee may recommend renewal with promotion to tenure, renewal as a probationary appointee subject to the constraints set forth in 7.06. of these rules, or nonrenewal. A probationary faculty appointment may not be converted to an academic staff appointment except upon recommendation by the appropriate departmental committee and the University Committee and approval by the provost. Such a conversion may not be made to circumvent the decision between promotion to tenure and nonretention.

D. At a time consistent with the provisions of UWS 3.09, administrative action shall be taken either to convert a probationary appointment to a tenured appointment or to issue a notification of nonrenewal (see 7.11. of these rules).

7.07. DEPARTMENTAL PROCEDURES FOR ACTION ON PROBATIONARY APPOINTMENTS. (See UWS 3.06 and 3.07.)

A. All probationary faculty members whose appointments are to be acted upon shall be notified of that fact in writing by the department (or departments, as appropriate, in the case of joint appointments). This preliminary notice should normally be provided early in the semester that precedes the semester in which the action will be taken; an exact date for the meeting of the executive committee need not be specified in the preliminary notice. The notice shall invite the faculty member to submit relevant material for consideration by the executive committee or a subcommittee thereof.

B. As soon as the date is set for the meeting of the executive committee at which action on a probationary faculty member's appointment is to be considered, the probationary faculty member shall be notified. The notice shall inform the faculty member of his/her their right to require that the meeting be open. Under no circumstances shall this notification be given less than twenty days before the meeting, except with the agreement of the probationary faculty member.

C. At the meeting specified in B. above, other persons may be invited by the executive committee to participate. This shall be a closed meeting, unless an open meeting is requested by the individual under consideration. In an open meeting, the individual under consideration may attend, but does not have the right to participate in the debate at this meeting unless specifically permitted by departmental rule.

D. The faculty member concerned shall be notified in writing of the decision of the executive committee within five working days. The notification must further state that the faculty member will be given, upon request, the specific reason(s) for the decision in writing and a reconsideration of the decision.

E. Upon written request by the faculty member concerned, within fifteen days of the receipt of the written notice of the decision, the departmental chair shall provide within thirty days a written statement, which has been approved by the executive committee, indicating its reasons for the decision. The faculty member shall be advised that this statement constitutes a confidential personnel document.

F. A department is responsible for making clear to the dean, to the divisional executive committee, and to the appointee, especially in the case of joint appointments, what the expectations and criteria for promotion are.

7.08. DEPARTMENTAL RECONSIDERATION OF A NONRENEWAL DECISION. (See UWS 3.07.)

A. If the faculty member concerned so requests within twenty days of receiving a statement of reasons, a reconsideration by the executive committee shall be provided. The meeting shall be held within twenty days after the faculty member concerned requests reconsideration.

B. The faculty member concerned shall have an opportunity to attend the reconsideration meeting, accompanied, if he/she wishes, by a representative of his/her choice, to respond to the statement of reasons, and to present any written or oral evidence or arguments relevant to the decision.

- C. Reconsideration is not a hearing, nor an appeal, and shall be nonadversary in nature.
- D. Within twenty days following the reconsideration, the chair shall convey the decision of the executive committee to the faculty member in writing.

7.09. ADMINISTRATIVE ACTION ON DEPARTMENTAL RECOMMENDATION CONCERNING PROBATIONARY APPOINTMENTS. (See UWS 3.06.)

- A. A departmental recommendation for renewal of a probationary appointment shall be transmitted by the department chair to the appropriate dean. The dean shall notify the department chair as rapidly as feasible of his/her approval or disapproval of the recommendation. The faculty member concerned shall be notified in writing within twenty days of the dean's decision.
- B. If the dean disapproves a departmental executive committee recommendation for renewal, on the written request of the faculty member or of the department concerned with the consent of the faculty member, the dean shall provide to the department and/or the faculty member within twenty days a written statement of reasons for the nonrenewal decision. If the faculty member involved so requests within twenty days of receiving the statement of reasons, a reconsideration by the dean shall be provided. The procedures contained in subsections B. and C. of 7.08. of these rules apply in this reconsideration. The dean shall notify the faculty member and the departmental chair of his/her decision within twenty days.

7.10. APPEAL OF A NONRENEWAL DECISION. (See UWS 3.08.)

- A. By written request, within twenty days, the faculty member may appeal an adverse reconsideration of a nonrenewal decision in accordance with the provisions of UWS 3.08(1). The appeal shall be heard by the Committee on Faculty Rights and Responsibilities no later than twenty days after the request, except that this time limit may be enlarged by mutual consent of the parties, or by order of the committee. The faculty member shall be given at least ten days' notice of such review.
- B. The Committee on Faculty Rights and Responsibilities shall report on the validity of the appeal to the faculty member, the departmental executive committee, the appropriate dean, the provost, and the chancellor, in accordance with the provisions of UWS 3.08(3).
- C. If the Committee on Faculty Rights and Responsibilities (CFRR) finds that a nonrenewal decision which results from a tenure denial during the probationary period was based in any significant degree upon impermissible factors, as defined in UWS 3.08, with material prejudice to the individual faculty member, and elects not to remand the case back to the department under UWS 3.08(c)(3) because it would serve no useful purpose, the University Committee, after appropriate consultation, shall appoint an ad hoc review committee whose members are knowledgeable or experienced in the probationary faculty member's academic field or in a substantially similar field. Members of the ad hoc committee shall be tenured faculty members at the University of Wisconsin-Madison and/or scholars from outside the university, but they shall not be members of the executive committee of the probationary faculty member's academic department(s) or functional equivalent. The ad hoc committee shall conduct a de novo review of

the candidate's record with reference to the criteria for tenure contained in Faculty Policies and Procedures 7.14.B. and C. The chancellor may then recommend to the Board of Regents that a tenure appointment be granted without the concurrence of the appropriate departmental executive committee or its functional equivalent if

1. The ad hoc committee, following the customary decision rules of the department or its functional equivalent, has recommended that tenure be granted; and
2. This affirmative recommendation has been approved, according to established procedures, by the dean, with the advice of the executive committee of the division to which the candidate belongs.

D. If the ad hoc committee's decision is adverse, the faculty member may request a statement of reasons and a reconsideration by that committee as provided in Faculty Policies and Procedures 7.08. An adverse decision by the ad hoc committee following such reconsideration may be appealed to the Committee on Faculty Rights and Responsibilities as provided in Faculty Policies and Procedures 7.10.A. and B.

E. The Committee on Faculty Rights and Responsibilities shall retain jurisdiction pending the resolution of all appeals.

#### 7.11. NOTIFICATION OF A NONRENEWAL DECISION. (See UWS 3.09.)

Written notice that a probationary appointment will not be renewed shall be given to the faculty member in advance of the expiration of his/her appointment in accordance with UWS 3.09. At the time of notification, the probationary faculty member shall be given a copy of the guidelines for appeal of a nonrenewal decision prepared by the Committee on Faculty Rights and Responsibilities (see 6.38. of these rules).

#### 7.12. EFFECT OF INADEQUATE NOTIFICATION. (See UWS 3.10.)

If proper notice of nonrenewal is not given in accordance with 7.11. of these rules, an extension of the appointment becomes automatic. Such an extended appointment terminates one year from the date notice is given unless that termination date would fall during a term (semester or 8-week summer session), in which case the expiration date is at the end of that term. In lieu of extension the university may, at its option, pay the salary for the period the extension would cover.

#### 7.13. EFFECT OF RECONSIDERATION OR APPEAL ON APPOINTMENT.

A request for reconsideration or an appeal of a nonrenewal decision does not of itself extend the termination date of an appointment.

#### 7.14. CRITERIA FOR THE GRANTING OF TENURE.

A. Tenure is granted only following an affirmative recommendation of a departmental executive committee to that effect, except in the specific situation provided for under UWS 3.08(3) and 7.10

of these Faculty Policies and Procedures. Tenure is not acquired solely because of the number of years of service, nor is prior university service a requirement for an initial appointment with tenure.

B. In applying its professional judgment to the decision to recommend or not to recommend tenure, the departmental executive committee or ad hoc committee under 7.10.C. has the obligation to exercise its discretion in the interest of improving the academic and professional quality of the department; departmental executive committees or ad hoc committees may not decline to recommend tenure for any reasons which are legally impermissible or which violate principles of academic freedom.

C. Each divisional executive committee shall establish written criteria and standards it will employ in recommending the granting of tenure. These criteria and standards shall assure that the granting of tenure is based on evidence of (1) teaching excellence; (2) a record of professional creativity, such as research or other accomplishments appropriate to the discipline; and (3) service to the university, to the faculty member's profession, or professional service to the public.

D. Each departmental executive committee shall establish written criteria and standards it will employ in recommending the granting of tenure. These criteria and standards shall be consistent with 7.14.C. of these rules. A copy of these criteria and standards shall be furnished to probationary faculty member(s) (see 7.05.A. of these rules) and shall be filed with the appropriate dean(s) and the vice chancellor for academic affairs and provost. A copy of the departmental criteria along with a statement showing how they were applied to the candidate shall be forwarded with a departmental recommendation for tenure.

E. The standard of review (in annual probationary review and at the time of tenure decision) shall be the standard appropriate to the number of years at that point counted in the probationary period, i.e., not the standard appropriate to the number of calendar years since hire.

F. Notwithstanding the responsibility of departmental executive committees to provide for the guidance and evaluation of probationary faculty members (see 7.05. of these rules), it is the probationary faculty member's responsibility to meet the criteria for tenure as determined by the department and the relevant divisional executive committee.

#### 7.15. THE GRANTING OF TENURE.

A. A departmental or ad hoc committee under 7.10.C. recommendation for the granting of tenure shall be transmitted by the department chair to the dean. Supporting material and documentation as specified by the dean and the divisional executive committee shall be included. Collection of supporting material and preparation of the documentation is the responsibility of the department chair after consultation with the executive committee and the probationary faculty member (see 7.05. of these rules).

B. Before approving a recommendation to a tenured position, or denying such a recommendation on the basis of professional qualifications alone, the dean shall seek the advice of the executive committee of the division in which the faculty member has membership (see 4.03. of these rules).

C. If the divisional executive committee advises against accepting the departmental or ad hoc committee recommendation, the departmental executive committee or ad hoc committee shall, if

it so requests, be heard by the divisional executive committee and a new vote taken. Each divisional executive committee's guidelines must clearly specify the rules and expectations applicable to such reconsideration votes. It is generally expected that, except under extraordinary circumstances, completely new information will not be considered as part of any divisional committee reconsideration. Reconsideration votes must be requested and materials submitted by the departmental executive committee or ad hoc committee within 90 days of the original divisional committee decision date. If this 90-day period extends beyond the end of the faculty contract year, the deadline for requesting reconsideration shall be the materials deadline for the respective divisional committee's November meeting. If the 90-day period will extend past the mandatory review date, the relevant dean must issue a non-renewal letter prior to the mandatory review date and note that the reconsideration and any eventual appeal will not extend the nonrenewal date.

D. 1. If the dean, after receiving the advice of the divisional executive committee, approves the departmental or ad hoc committee recommendation, he/she shall transmit it to the provost and vice chancellor for academic affairs. All supporting material and documentation specified in 7.15.A. and all advice of the divisional executive committee shall accompany the personnel papers through administrative channels to the provost and vice chancellor for academic affairs and chancellor.

2. If the dean, after receiving the advice of the divisional executive committee, takes action contrary to the recommendation of the divisional executive committee and approves a departmental or ad hoc committee recommendation, he/she shall also forward to the provost and vice chancellor for academic affairs a statement explaining the reasons for not accepting the divisional executive committee recommendation.

E. The department or ad hoc committee shall be notified promptly of the actions taken by the divisional committee and the dean.

F. The faculty member shall be notified in writing within twenty days of the decision of the dean, which shall be made no later than twenty days following receipt of the divisional committee's advice.

G. If a dean disapproves a departmental or ad hoc committee recommendation for promotion to tenure, the faculty member concerned may request, or the department or ad hoc committee, as appropriate, with the consent of the faculty member may request, a written statement of the reasons to be provided within twenty days, and may seek reconsideration or, if appropriate, appeal the dean's decision pursuant to 7.09. and 7.10. of these rules.

H. At any time after receipt of a recommendation from a dean pursuant to Faculty Policies and Procedures 7.15.D.2., the provost and vice chancellor for academic affairs shall consult with the divisional executive committee and the dean about the tenure recommendation. The provost and vice chancellor for academic affairs shall consult with the dean prior to making a recommendation contrary to recommendation of the dean.

I. If the provost and vice chancellor for academic affairs approves the dean's recommendations, he/she shall transmit it to the chancellor for recommendation to the president and to the board.

J. The faculty member shall be notified in writing promptly of the actions taken by the provost and vice chancellor for academic affairs and the chancellor.

K. If the provost and vice chancellor for academic affairs disapproves the dean's recommendation for promotion to tenure, the faculty member concerned may request, or the department or ad hoc committee, as appropriate, with the consent of the faculty member, may request a written statement of reasons to be provided within twenty days, and may seek reconsideration by the provost and vice chancellor for academic affairs and, if appropriate, appeal the provost and vice chancellor for academic affairs' decision pursuant to 7.09. and 7.10. of these rules.

## 7.17. POST-TENURE REVIEW POLICY

### A. PURPOSE

The purposes of the review of tenured faculty are:

- a. to recognize outstanding achievement;
- b. to provide opportunities for mentoring and professional development;
- c. to help identify and remedy, from a developmental point of view, any deficiencies in teaching, service, outreach/extension, and research/scholarly productivity.

The process of post-tenure review is the periodic assessment of each faculty member's activities and performance, in accordance with the mission of the department, college, and institution, and the responsibilities of the faculty as described in FPP 8.02. The review is to be appropriately linked to the merit process, and should not involve the creation of unnecessary additional bureaucracy. Review of tenured faculty builds on and complements other aspects of the tenure process in order to develop faculty capacity and strengthen and promote the public benefits of tenure. Post-tenure review is not a reevaluation of tenure and is not undertaken for the purposes of discipline or dismissal. Faculty shall be subject to discipline or dismissal only for just cause (see FPP 9.). Departments, schools, and colleges may not use post-tenure reviews as the basis for budgetary decisions or for decisions regarding program discontinuance, curtailment, modification, or redirection.

### B. CRITERIA

1. The basic standard for review shall be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with the faculty member's position.
2. Each department shall develop criteria to measure progress in teaching, service, outreach/extension, and research/scholarly productivity as appropriate to the field and consistent with FPP 8.02. Each department shall develop criteria to measure progress in scholarly productivity as appropriate to the field. The criteria for review shall be periodically reviewed by the executive committee of each department and the school or college APC.
3. The criteria for review should reflect the overall mission of the department, be sufficiently flexible to accommodate faculty with differing responsibilities, and recognize that careers and levels of productivity may change over time. In developing such criteria, departments may draw on statements used in other faculty review procedures, such as merit or promotion review. Special care should be taken to ensure that the scholarly productivity of jointly appointed and interdisciplinary faculty is appropriately evaluated.

4. The executive committee of each department shall ensure that the criteria governing faculty review do not infringe on the accepted standards of academic freedom of faculty, including the freedom to pursue novel, unpopular, or unfashionable lines of inquiry or innovative methods of teaching, and recognize that scholarly projects take varying amounts of time to come to fruition. Nothing in the criteria or application of these policies shall allow the review to be prejudiced by factors proscribed by applicable state or federal law, such as race, religion, sex, sexual orientation, ethnicity, age, and handicap.
5. For the purposes of this chapter, the following definitions shall apply:
  - a. A review resulting in an indication of “exceptionally good” performance shall constitute a rating of “exceeds expectations” for the purposes of Regent Policy Document (RPD) 20-9 sec. 9.b.
  - b. A review indicating “substantial deficiencies” in performance shall constitute a rating of “does not meet expectations” for the purposes of RPD 20-9 sec. 9.b.
  - c. All other review results under this chapter shall constitute a rating of “meets expectations” for the purposes of RPD 20-9 sec. 9.a. Discharging conscientiously and with professional competence the duties appropriately associated with the faculty member's position shall serve as the standard for “expected level of accomplishment” as described in the RPD.
  - d. For schools and colleges that are not officially divided into departments, all references to “department” or “chair” in this policy shall be understood to refer to the equivalent unit and its corresponding chair or equivalent.
  - e. An initial review indicating substantial deficiencies shall not constitute a disciplinary action under FPP 9.

#### C. PROCEDURES

1. Reviews shall occur at least once every five years. These reviews may incorporate the annual merit review process and may encompass promotion, retention, salary, or other reviews, including but not limited to nominations for named chairs and professorships, major teaching awards, and national professional honors or awards. In the case of combined reviews, the department may require supplementary documentation from the faculty member, which meets the criteria below, that would not otherwise be required for the other review. The review may be deferred, by approval of the provost, for unusual circumstances such as when it may coincide with an approved leave, significant life event, promotion review, or other appointment, and the provost may then determine a new review schedule. Each review, as determined by each department's executive committee, shall be carried out by two or more tenured faculty members, who may be drawn from outside the department. Upon notification of the reviewers selected by the committee, if the faculty member under review formally objects to a reviewer, the chair, in consultation with the relevant dean, shall identify other appropriate reviewers. Such formal objections should be kept confidential. In the case of a faculty member with appointments in more than one department, the department chairs of the affected departments shall agree in writing on procedures for the conduct of the review.
2. Review procedures shall include:
  - a. A review of qualitative and quantitative evidence of the faculty member's performance over at least the previous five-year period. The evidence should include a current curriculum vitae, annual activity reports, teaching, and student evaluations or



summaries of evaluations, and other materials providing evidence of the faculty member's accomplishments and contributions that the department or the faculty member feel are relevant to the review. The faculty member should provide the reviewers with a brief summary of career plans for the future. Letters from outside the university would not ordinarily be a part of the review process. The faculty member under review, however, may submit appropriate letters if she or he so chooses. The reviewers shall examine materials to the degree needed to accomplish the purposes of this review.

- b. Discussion with the faculty member about his or her contributions to the profession, the department, and the university if either the reviewers or the faculty member so desire.
  - c. Appropriate consideration of a faculty member's contributions outside the department to interdisciplinary and other programs, governance, and administration.
  - d. Other steps the reviewers consider useful in making a fair and informed judgment, including but not limited to consultation with individuals who have knowledge of the faculty member's work
3. The reviewers shall provide the faculty member with a written summary of the review. The faculty member shall have the right to prepare a written response to the summary within 30 days after receipt.
4. A copy of the summary and any written response to it shall be given to the department chair and shall be placed in the personnel file of the faculty member. A copy shall also be provided to the appropriate dean for sufficiency review. The department shall also preserve in the faculty member's personnel file all documents that played a substantive role in the review (other than documents such as publications that are readily accessible elsewhere), and a record of any action taken as a result of the review. The summary and outcome of the review shall remain confidential, that is, confined to the appropriate departmental, college, or university persons or bodies and the faculty member being evaluated, released otherwise only at the discretion, or with the explicit consent of, the faculty member, or as otherwise required by business necessity or law.
5. Every effort should be made to offer tangible recognition to those faculty identified as exceptionally good, including but not limited to, nomination for university, national, and international awards and relevant merit and other benefits.
6. Following the initial departmental review and faculty member's response, if any, the dean shall conduct a sufficiency review. In the event that the dean considers that the review was insufficient, he/she shall provide the reasons to the executive committee in writing why the review was insufficient within 14 days of receiving the departmental report. The executive committee may provide a response addressing the dean's concerns about the sufficiency of the review within 14 days. The dean will then make a recommendation to the provost on whether or not the faculty member "meets expectations."
  - a. If neither the departmental review nor the dean's review indicate substantial deficiencies, the post-tenure review process is concluded.
  - b. If both the departmental review and the dean's review indicate substantial deficiencies, the remediation process described in 7.b. shall commence immediately.
  - c. In the event the dean's review indicates substantial deficiencies not identified in the departmental review, the dean must provide written reasons within 14 days to the

faculty member for the recommendation and the faculty member may provide a written response to the dean within 14 days. This statement can include new documentation on the faculty member's accomplishments. Within 5 days of the end of the faculty member's written response deadline, the dean will forward their review and the departmental review, along with any written response statements from the faculty member, to the provost.

- d. In the event the departmental review indicates substantial deficiencies but the dean dissents, the dean will forward their recommendation, along with the departmental review and any written response statement from the faculty member, to the provost.
7. If the post-tenure review is not concluded at the dean's level per 6.a. or 6.b. above, upon receipt of the dean's recommendation, the provost will perform their own review, including consultation with the divisional committee review council (DCRC), which also will be provided with the executive committee recommendation, the dean's recommendation, and any faculty responses. The provost shall request advice from the DCRC within 5 days of receiving the dean's recommendation and the council will provide their advice within 30 days of receiving the request from the provost.
    - a. Review by the provost, or review by the dean which is not submitted for the provost's review, shall be the final review.
    - b. If after the reviews the substantial deficiencies are confirmed by the provost, support from institutional resources for professional development shall be proffered. The department chair and the faculty member shall develop a written plan for mentoring and professional development to address all issues identified in the review, in consultation, with the appropriate dean(s), who shall resolve any disagreements as to the creation of the remediation plan. This plan shall be the product of mutual negotiation and discussion between the faculty member and the chair and/or dean(s), shall respect academic freedom and professional self-direction, and shall be flexible enough to allow for subsequent alteration. Such a plan could include review and adjustment of the faculty member's responsibilities, development of a new research program or teaching strategy, referral to campus resources, assignment of a mentoring committee, institution of mandatory annual reviews for a specified period, written performance expectations, and/or other elements. The faculty member shall have the right to provide a written response regarding the manner in which any written development plan is formulated, the plan's content, and any resulting evaluation. This plan shall be completed no later than 30 days after the provost has informed the faculty member of the decision. The faculty member shall have three academic semesters to fully satisfy all of the elements of the remediation plan. If the remediation plan includes performance deficiencies in research, an extension of one academic semester may be granted by the chancellor.
  8. The process for determination of the successful completion of the remediation is as follows.
    - a. The faculty member will submit documentation of their activities that address issues identified in the remediation plan to the faculty member's executive committee. This documentation will include any information that the faculty member deems relevant and can be provided at any time during the remediation period, but must be provided no later than 4 weeks before the end of the remediation plan period.

- b. Within 30 days of receipt, the executive committee will review the materials submitted, and will make a determination as to whether all the elements of the remediation plan have been satisfied. The executive committee will then submit the faculty member's documentation along with their determination to the dean.
  - c. The dean shall review the faculty member's performance and determine, in consultation with the faculty member, their department chair, and the chancellor, whether the remediation plan and criteria have been satisfied or whether further action to address the substantial deficiencies must be taken.
  - d. If the dean determines that the faculty member has not satisfied all the elements of the remediation plan, then within 14 days the decision and written reasons for this decision shall be provided to the faculty member and to the provost. Within 14 days of receiving the notification from the dean, the faculty member can submit to the provost an additional written statement addressing the decisions made by the executive committee and the dean.
  - e. Consistent with the provisions of RPD 20-9 sec. 12.c.ii., in the event that the review conducted per 9.c. reveals continuing and persistent problems with a faculty member's performance that do not lend themselves to improvement by the end of the remediation period, and that call into question the faculty member's ability to function in that position, then other possibilities, such as a mutually agreeable reassignment to other duties or separation, should be explored. If these are not practicable, or no other solution acceptable to the parties can be found, then the University Committee must appoint an ad hoc committee of faculty to review proposed sanctions consistent with FPP.
9. The standard for discipline or dismissal remains that of just cause as outlined in FPP 9.02. and 9.03. The fact of successive negative reviews does not diminish the obligation of the institution to show such cause in a separate forum, following the procedures outlined in FPP.9. Records from post-tenure review may be relied upon and are admissible, but rebuttable as to accuracy. The administration bears the ultimate burden of proof on the issue of just cause for discipline and dismissal.
  10. The faculty member retains all protections guaranteed in FPP, including, but not limited to, the rights to appeal and the right to appeal disciplinary action to the Committee on Faculty Rights and Responsibilities as described in FPP 9.07.

#### D. ACCOUNTABILITY

1. Copies of the departmental criteria and procedures for reviews of tenured faculty (including procedures to be used for individual tenured faculty with shared appointments in several departments) shall be filed with the appropriate chairs, deans, the provost, and the secretary of the faculty.
2. At the end of each academic year, the chair shall identify faculty to be reviewed by the end of the following academic year and the executive committee shall establish a calendar for reviews and provide notice to the identified faculty consistent with RPD 20-9 sec. 5. Department chairs shall coordinate with their deans to schedule all initial departmental reviews to be conducted during the fall semester, ensuring that all reviews and responses are completed and reported to the dean no later than March 1.

3. Departments shall maintain a record of reviews completed, including the names of all reviewers.
4. At the end of each academic year, department chairs shall send a report to the appropriate dean(s) listing the names of faculty members reviewed during that academic year and summarizing the outcomes of those reviews
5. If a department fails to conduct requisite reviews by the end of the academic year, the dean shall appoint reviewers to conduct reviews based on the department's specified criteria.
6. The periodic review of each department, in which the department's mission, personnel, and development are now evaluated, shall include review of the process for review of tenured faculty in the department.
7. Pursuant to RPD 20-9 sec. 16, reviews and remediation plans are not subject to grievance processes. Faculty retain all protections and rights to grievances and appeals provided elsewhere in these chapters, including but not limited to FPP chapters 8 and 9, unrelated to post-tenure review.

7.19. OBLIGATION TO FACULTY MEMBERS FOLLOWING APPOINTMENT: CONTINUING COMMITMENT.

A continuing commitment, shared between the department or equivalent unit and the university, is incurred upon the appointment of a probationary or tenured faculty member. For tenured members of the faculty, that continuing commitment extends for as long as the faculty member holds tenure. For probationary faculty members, the term of the continuing commitment coincides with the term of appointment.

A. In the case of an appointment that is less than full-time, the continuing commitment is for the same fraction as the appointment.

B. In the case of an appointment that is divided among several departments or units, the fraction of the continuing commitment assignable to each shall be specified. The department identified in 7.02. of these rules as the principal sponsor of the appointment shall be the administrative home regardless of appointment percentage. The administrative home and the total continuing commitment or its division among departments or units may be changed only by agreement among the individual, the departmental executive committees, and the deans involved.

C. By agreement of the faculty members, the departments, and the dean, the level of departmental activity of the individual may differ from the continuing commitment in any given year. Such an occasional deviation does not in itself alter the continuing commitment. Similarly, a minor change in the division of a joint appointment to accommodate differentials in salary or other support would also not in itself alter the continuing commitment. Neither of these situations would require the procedures or approvals of section 5.14. of these rules.

D. In the event of the dissolution of a department holding a continuing commitment to a faculty member, an effort shall be made to identify an alternative department which is mutually suitable and which will assume the continuing commitment of the former department. If no such department can be found, the continuing commitment will be assumed by the university.

#### 7.20. LEAVE OF ABSENCE.

For the purposes of these rules, a leave of absence is a temporary separation of a faculty member from the university during which the faculty member is not paid from funds administered by the university except for such fringe benefit programs as may be permitted by state regulations, or in the case of a faculty member appointed under 1.02.B. of these rules, a temporary separation of the faculty member from his/her agency assignment in Madison.

Probationary faculty who wish to be temporarily separated from the university will normally request a “temporary assignment” to an alternative activity. Temporary assignments are similar to leaves of absence except they do not interrupt the probationary period. A leave of absence will be approved for a probationary faculty member only for an activity that substantially interrupts the ability of the candidate to establish, within the normal probationary period, a record that would warrant the granting of tenure.

Leaves of absence and temporary assignments require the affirmative recommendation of the departmental executive committee and the approval of the dean. Because a leave of absence extends the time before action must be taken on a probationary appointment (see 7.04.E.), a leave of absence for a probationary faculty member requires the approval of the vice chancellor for academic affairs and provost in consultation with the University Committee.

Ordinarily, a leave of absence is granted for a maximum of one year, or a maximum of three semesters in three years even if no single absence exceeds one year, but under appropriate circumstances upon recommendation of the executive committee and the dean, and with the approval of the University Committee and the vice chancellor for academic affairs and provost, it may be renewed. A leave of absence of more than five years requires approval by the UW System president.

#### 7.22. SICK LEAVE.

Sick leave policy for members of the faculty is governed by UWS 19 and policies adopted under UWS 19.

#### 7.24. MILITARY LEAVE.

A. ACTIVE SERVICE. In accordance with state statutes and national policy, the university cooperates in facilitating the return to normal occupation for the members of the faculty who serve the federal government in the interest of national defense as specified in Sec. 321.64 Wis. Stats.

1. Following their return, tenured faculty members shall continue to enjoy tenure status.
2. Probationary faculty shall be granted leaves of absence for federal service of the type specified in Sec. 321.64(1) Wis. Stats. Probationary faculty may be granted such leaves for voluntary service with the consent of their departmental executive committee(s) and dean.

B. LEAVE FOR RESERVE SERVICE. Members of the faculty who are members of any reserve component of the military forces of the United States or of this state are entitled to leaves of absence in accordance with Sec. 230.35(3)(a) Wis. Stats.

### 7.25. LEAVE OF ABSENCE FOR GOVERNMENTAL SERVICE.

In accordance with Regents policy #5364, adopted at the meeting of November 10, 1989, faculty taking leave for governmental positions shall follow the rules below. A faculty member should be entitled to all the benefits provided by Faculty Policies and Procedures to those faculty who take leave because of military duty, (see 7.24.) if the leave is due to any of the following contingencies:

1. Elected, or appointed to a high federal post by the executive, legislative, or judicial branch of the United States Government.
2. Elected, or appointed to a high governmental post by the executive, legislative, or judicial branch of the Wisconsin State Government.
3. All leaves of absence other than medical carry an implicit agreement between the faculty member and the university that the faculty member will return to the university at the conclusion of the leave. This includes that failure to return to the university at the conclusion of the approved leave period constitutes a resignation from the university.

Upon recommendation of the appropriate departmental executive committee(s) and dean, and with the concurrence of the University Committee, the provost and vice chancellor for academic affairs may extend the above benefits to a faculty member who is elected or appointed to a high post by other governmental or quasi-governmental agencies, including, for example, local and other state governments, foreign governments, the United Nations.

An initial term or appointment not to exceed four years requires the recommendation of the relevant department(s), dean(s), the University Committee and the provost and vice chancellor for academic affairs. Extensions beyond the initial term or appointment require approval of the Board of Regents, with the appropriate campus recommendations.

### 7.30. RETIREMENT.

In accord with state statutes there is no mandatory retirement at the UW-Madison. Retired faculty members may be engaged for service only with the approval of the chancellor. Retired faculty who are engaged will be appointed to the academic staff.

### 7.31. EMERITUS/EMERITA FACULTY.

- A. Emeritus/emerita faculty titles are conferred by the chancellor upon recommendation of the departmental executive committee and the dean.
- B. Emeritus/emerita faculty retain all faculty governance rights held at the time of their retirement during any academic year in which they hold an academic staff appointment from their department totaling at least 20% of a full-time academic year appointment, subject to the provisions of 5.20.C.

7.32. CONTINUATION OF EXISTING ARRANGEMENTS.

The adoption of this revision of all the Faculty Rules and Regulations shall not be construed to alter the nature of any appointment in effect at the time of adoption or to extend or withdraw any departmental, college, or other membership.

*History:* 7.02, 7.03, 7.05, 7.07, 7.19 by Fac doc 2823 with modifications 2019-11-04

*History:* 7.06a, 7.15c, 7.15f amended by Fac doc 2741 with modifications 2018-05-07

*History:* 7.17 amended by Fac doc 2639 with modifications 2017-03-06

*History:* 7.06, 7.10 amended by Fac doc 2666 on 2017-02-06

*History:* 7.20 amended by Fac doc 2667 on 2017-02-06

*History:* 7.03 renamed "Recruiting and appointments" by Fac doc 2583a on 2015-12-07

*History:* 7.15 renumbered as 7.03D. by Fac doc 2583a on 2015-12-07

*History:* 7.18 renumbered as 7.03 E. and 7.03F. by Fac doc 2583a on 2015-12-07

*History:* 7.17 added by Fac doc 2583a on 2015-12-07

## CHAPTER 8: FACULTY RIGHTS AND RESPONSIBILITIES

### 8.01. FACULTY RIGHTS.

A. Members of the faculty individually enjoy and exercise all rights secured to them by the Constitutions of the United States and the State of Wisconsin, and by the principles of academic freedom as they are generally understood in higher education, including professional behavior standards and the expectation of academic due process and just cause, as well as rights specifically granted to them by: regent action, University of Wisconsin System rules, these policies and procedures, and relevant practices or established custom of their colleges or schools and departments.

B. Academic freedom is the freedom to discuss and present scholarly opinions and conclusions regarding all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to reach conclusions according to one's scholarly discernment. It also includes the right to speak or write—as a private citizen or within the context of one's activities as an employee of the university—without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties, the functioning of the university, and university positions and policies.

C. Academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest or concern, one is speaking on behalf of oneself, not the institution.

D. In any consideration of matters of tenure and academic freedom, the following statement of policy is relevant. It was enunciated at the time of the previous codification of the Laws and Regulations of the University of Wisconsin by the Regents of the University of Wisconsin on January 10, 1964. "In adopting this codification of the rules and regulations of the University of Wisconsin relating to tenure, the Regents reaffirm their historic commitment to security of professorial tenure and to the academic freedom it is designed to protect. These rules and regulations are promulgated in the conviction that in serving a free society the scholar must himself be free. Only thus can he seek the truth, develop wisdom and contribute to society those expressions of the intellect that ennoble mankind. The security of the scholar protects him not only against those who would enslave the mind but also against anxieties which divert him from his role as scholar and teacher. The concept of intellectual freedom is based upon confidence in man's capacity for growth in comprehending the universe and on faith in unshackled intelligence. The university is not partisan to any party or ideology, but it is devoted to the discovery of truth and to understanding the world in which we live. The Regents take this opportunity to rededicate themselves to maintaining in this university those conditions which are indispensable for the flowering of the human mind."

### 8.02. FACULTY DUTIES AND RESPONSIBILITIES.

A. **FUNDAMENTAL RESPONSIBILITIES.** The university faculty are responsible for teaching, research or other scholarly activity appropriate to the discipline, and public service. Furthermore, every



faculty member has an obligation to maintain professional honesty and integrity, to seek knowledge and to share that knowledge freely with others. No member of the faculty shall be absent from his/her classes or other regular duties at the university except by the permission of the chancellor or appropriate dean. Faculty members shall avoid a concentration of class hours that is detrimental to effective teaching. It is the responsibility of faculty members to carry out duties assigned by the department, and to share in the governance of the institution as a whole.

B. ATTENDANCE AT MEETINGS. It is the duty of faculty members to attend departmental, school or college, and university faculty meetings.

#### 8.03. EARNED DEGREES.

A member of the university faculty as defined in 1.02. may pursue a degree at the University of Wisconsin-Madison provided (1) the employing department(s) and dean(s) have been notified and, if necessary, satisfactory arrangements have been made regarding released time and/or budgetary adjustments, and (2) the chair of the department(s) and the dean(s) of the school(s) or college(s) responsible for the degree program agree that no conflict of interest exists.

#### 8.04. RESTRICTIONS ON FACULTY ACTIVITIES.

A. GIFTS IN KIND. Gifts in kind (e.g., books, art objects, equipment) require formal acceptance by the Board of Regents, after discussion as to their acceptability with appropriate departments, administrative officers, and other parts of the university.

B. SOLICITATION OF FUNDS. No member of the faculty shall formally solicit or accept funds for the university or any department thereof, without authority from the Board of Regents.

C. CONFLICTS OF INTEREST. No university faculty member may engage in activities which are not consistent with the provisions of UWS 8.03; actions to be taken to avoid conflict are specified in UWS 8.04.

#### 8.05. USE OF UNIVERSITY FACILITIES.

A. USE FOR PERSONAL OR OUTSIDE ACTIVITIES. University facilities, equipment, and supplies shall not be used by the faculty for purposes other than carrying out their institutional responsibilities. If for any reason a faculty member deems it essential to use such facilities, equipment, or supplies for personal or outside activities, the faculty member must seek prior written approval of the department chair and the dean or other appropriate administrator.

B. UNIVERSITY SEAL. The university seal, or any copy or imitation of it, may not be used by any person, firm, or corporation without the express permission of the Board of Regents or its delegate.

C. CARE OF UNIVERSITY PROPERTY. All apparatus, museum materials, scientific collections, books, and other university property shall be in the immediate care of the faculty of the respective departments to which such materials belong, subject to the control of the appropriate administrative authorities.

8.06. PERSONAL GAIN FROM UNIVERSITY POSITION.

A. Definitions used hereafter in this chapter (see UWS 8.02): “Immediate family” means (a) a faculty member’s spouse; and (b) any person who receives, directly or indirectly, more than one-half of his or her support from a faculty member or from whom a faculty member receives, directly or indirectly, more than one-half of his or her support. “Organization” means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic. “Associated,” when used with reference to an organization, means that a person or a member of a person’s immediate family is a director, officer or trustee or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity.

B. No faculty member may, in a manner contrary to the interests of the University of Wisconsin System, use or attempt to use his or her public position or state property, including property leased by the state, to gain or attempt to gain anything of substantial value for his or her private benefit, his or her immediate family, or any organization with which the faculty member is associated.

C. No member of the faculty may solicit or accept from any person or organization anything of value pursuant to an expressed or implied understanding that his or her conduct of university business would be influenced thereby.

D. No member of the faculty may intentionally use or disclose confidential university information in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family, or for any other person or organization with which the faculty member is associated.

8.07. CONTRACTING AND LEASING.

A. No member of the faculty, member of his or her immediate family, nor any organization with which the faculty member is associated, may enter into any contract or lease involving payments of \$3,000 or more within a 12-month period, derived in whole or in part from university funds, if the faculty member is in a position to approve or influence, in his or her official capacity, the university’s decision to enter into the contract or lease.

B. If the faculty member is not in a position to approve or influence the university’s decision, he or she may enter into a contract or lease described in 8.07.A. above if the faculty member first makes written disclosure of the nature and extent of any relationship described in 8.07.A. to the dean, director, or other appropriate administrator and he or she approves. The dean, director or other appropriate administrator shall approve a faculty member’s interest in a lease or contract unless he or she determines that the faculty member’s personal interest in the agreement will conflict substantially and materially with the faculty member’s discharge of his or her university responsibilities.

8.08. NEPOTISM.

A. No faculty member may participate, formally or informally, in the decision to hire, retain, grant tenure to, promote or determine the salary of a member of his or her immediate family.

B. No faculty member may, in the supervision or management of another unclassified staff member who is a member of his or her immediate family, give preferential or favored treatment.

8.09. RESEARCH PROTECTION OF STUDENTS AND OTHER RESEARCH WORKERS.

A faculty member shall inform students and other research workers engaged in research under his or her supervision of any financial interest which the faculty member has in the research activity, including, but not limited to, financial arrangements involved in the direct support of the activity, agreements made by the faculty member to obtain data for the research, or agreements concerning copyright or patent rights arising from the research.

8.10. OUTSIDE ACTIVITIES REPORTS. (See UWS 8.025.)

A. The following outside activities must be reported to a faculty member's departmental executive committee and dean, director or other appropriate administrator:

1. Associations with organizations (other than professional societies) related to the faculty member's fields of academic interest or specialization.
2. Private remunerative relationships between faculty members and nongovernmental sponsors of university research for which the faculty member is a principal investigator.
3. Remunerative outside activities in a faculty member's field of academic interest or specialization, including but not limited to consulting, and whether the faculty member earns for such activities \$5,000 or more in a year from a single source.

B. Each faculty member engaging in reportable outside activities shall annually, on or before April 30, file a report of outside activities with his or her department and dean, director or other appropriate administrator.

C. If, during the year, significant changes in a faculty member's reportable outside activities occur, the staff member shall immediately inform, in writing, his or her department and dean, director or other appropriate administrator.

8.11. INSTITUTIONAL ADVISORY COMMITTEE ON CONFLICTS OF INTEREST.

The committee can be consulted in advance by any member of the unclassified staff or of the administration on the application of UWS Chapter 8.

8.12. SERVICE WITH AGENCIES GRANTING MONEY.

Any faculty member who is asked to serve as adviser or consultant, or in any other capacity, with a public or private agency that grants money or decides policy for grants, shall ascertain if his/her participation will adversely affect the university's eligibility for funds from the agency involved and shall report this information to the chancellor through the dean.

8.13. SERVICE AS AN EXPERT WITNESS.

Any faculty member who intends to serve as an expert witness in any civil or criminal case shall promptly report the nature of the case to his/her dean, who shall transmit the information to the chancellor.

8.14. RECORDS.

Departmental, committee, and other records may not be destroyed without the permission of the archivist.

8.15. GRIEVANCES OF FACULTY MEMBERS. (See UWS 6.02.)

- A. A faculty member who believes that his/her rights have been violated or that he/she has been dealt with unfairly should first seek a mutually satisfactory resolution of the problem at the departmental level and then at the school or college level, unless the problem initially arises at a higher level.
- B. If a mutually satisfactory resolution cannot be found, the faculty member may bring the matter to the attention of the University Committee.
  - 1. The University Committee may use whatever means and procedures it considers most likely to be effective in dealing with the matter consistent with UWS 6.02.
  - 2. The University Committee will report to all parties concerned.

*History: 8.01. amended by Fac doc 2186 on 2010-04-12*

*History: 8.01. and 8.02. amended by Fac doc 1771a on 2004-04-05*

*History: 8.01. amended by Fac doc 1488c on 2001-10-01*

*History: 8.01. amended by Fac doc 1488b on 2000-05-01*

*History: 8.06. amended by Fac doc 1419a on 1999-04-05*

*History: 8.03. amended on 1978-10-09*

*History: 8.10.b. amended on 1978-12-04*

*History: Chapter significantly revised by Fac doc 667 on 1986-11-03*

## CHAPTER 9: DISCIPLINE AND DISMISSAL OF FACULTY FOR CAUSE

### 9.01. PREAMBLE.

The university has a tradition of commitment to professional honesty and integrity, as described in FPP Chapter 8, and also recognizes the need for fair and adequate investigation of alleged violations of rules and policies relating to faculty conduct. The unified rules and procedures contained herein shall apply in faculty disciplinary and dismissal proceedings, within the framework established in sections UWS 4 and UWS 6 of the Wisconsin Administrative Code. Faculty members charged with actions which could lead to discipline or dismissal (see 9.02. and 9.03. below) are entitled throughout the proceedings to due process both by tradition and by law. The principles of due process as understood traditionally by the faculty and delineated herein (FPP 9.06., 9.08., as well as in UWS 4) include, but are not limited to: knowledge in writing of the full complaint and its source(s), access to all documentation, the right to be present at all hearings and the right to confront and cross examine, the right to be represented, the right to refrain from testimony without prejudice, appropriate appeal processes, closed hearings if desired, written findings of fact, and verbatim records of all hearings. While this chapter provides the formal structure for proceeding in disciplinary and dismissal cases, many cases will be resolved by agreement among the parties involved or by formal mediation. In cases involving alleged scholarly misconduct, the rules and procedures are those set forth in Faculty Document 867a, which is presented in the faculty legislation appended to Faculty Policies and Procedures.

### 9.02. CAUSE FOR DISCIPLINE.

No faculty member shall be subject to discipline except for just cause, based upon a determination that the faculty member has violated a university rule or policy or has engaged in conduct which adversely affects the faculty member's performance of his/her responsibilities to the university but which is not serious enough to warrant dismissal. As used in this chapter, discipline means any sanction except dismissal imposed by the administration against a faculty member for misconduct, including but not limited to an official reprimand, reduction in salary or reduction of a departmentally recommended increase in salary, or reduction in rank.

### 9.03. CAUSE FOR DISMISSAL. (See UWS 4.01.)

No faculty member shall be subject to dismissal except for just cause, based upon a determination that the faculty member's conduct directly and substantially affects adversely, to a degree greater than that reserved for disciplinary action, the ability to carry out satisfactorily his/her responsibilities to the university. Examples of conduct that may warrant dismissal include, but are not limited to, fraud or intentional misrepresentation of facts for personal benefit, gross abuse of authority or influence (e.g., discriminatory or retaliatory actions, particularly where a pattern is evident), or willful and protracted violations of university rules or policies. Layoff and termination for reasons of financial emergency are not dismissals for cause, and such actions are taken pursuant to Chapter 10 of these rules.

9.04. COMPLAINTS ABOUT FACULTY MEMBERS.

Complaints against faculty members alleging facts which, if true, might constitute adequate cause for discipline under UWS 6 or dismissal under UWS 4 shall be in writing and shall be filed with the vice chancellor for academic affairs and provost (provost).

9.05. ACTION BY PROVOST ON COMPLAINTS.

A. On receiving a complaint concerning a faculty member, the provost shall determine whether the complaint deals with scholarly misconduct and/or other misconduct.

B. Complaints alleging scholarly misconduct shall be dealt with according to Faculty Document 867a and FPP 9.14. A formal allegation of misconduct in scholarly research will be referred to the chair of the department (or functional equivalent) or to the corresponding academic dean or, in the case of conflict of interest on the part of the chair or academic dean, to the Vice Chancellor for Research and Graduate Education.

C. If the complaint alleges misconduct other than scholarly misconduct, the provost shall determine whether a prima facie case exists for the imposition of discipline or for dismissal. The provost shall also consider the timeliness of the complaint, particularly in light of related state and federal limitations statutes. As used in this section, a prima facie case for discipline exists whenever the information submitted in support of the complaint would warrant disciplinary action, if considered on its face to be true and not subject to refutation or exculpatory explanation. A prima facie case for dismissal exists whenever this standard is met, but with the additional requirement that the information submitted in support of the complaint be of such substantial character that the magnitude of the alleged conduct warrants contemplation of dismissal if determined to be true. If a prima facie case does not exist or if the complaint is not considered timely, the complaint shall be dismissed.

D. Whenever the provost receives a complaint against a faculty member which he/she deems substantial and which, if true, might lead to dismissal under UWS 4, the provost shall proceed under UWS 4 and the provisions of this chapter of FPP.

9.06. INVESTIGATION AND FURTHER ACTION.

A. If the provost determines that a prima facie case exists for imposition of discipline or dismissal and the case is timely, he/she shall institute an investigation by appointing an investigator or investigators of his/her choosing. The provost shall also offer to discuss the matter with the faculty member concerned, giving the faculty member an opportunity to speak to the matter, and shall provide the faculty member with a written statement of the matter(s) to be investigated. The faculty member shall also receive a copy of the original signed complaint, subject to the possible need to redact information pertaining to third parties that will not be considered part of the investigation. The faculty member concerned shall have the right to be advised and represented by counsel or other representative at his/her expense throughout the investigation and thereafter.

B. The faculty member can state objections to the provost's selection of investigator(s). The investigator(s) shall investigate the complaint as soon as practicable and provide an oral and/or

written report to the provost. Following the investigation the provost shall consult with recent past chairs of the University Committee and the Committee on Faculty Rights and Responsibilities who shall advise the provost as to the actions that should be taken as enumerated in C. below.

C. Actions that the provost may take are:

1. Dismiss the case; or
2. Refer the complaint to the department(s) or the equivalent functional unit(s) in which the faculty member concerned holds membership if the investigation indicates that the case involves a matter which should be resolved at the departmental level and in which disciplinary action by the provost is not warranted; or
3. Prepare to invoke an appropriate disciplinary action. In doing so, the provost will present the faculty member with a written summary of all evidence obtained both for and against each charge brought forward for disciplinary action or dismissal. The provost shall then invite the faculty member to participate in voluntary and confidential settlement negotiations which could involve, with agreement of both parties, formal mediation.

If formal mediation is invoked, the parties shall agree on the appointment of a mediator or mediators. Formal mediation must be completed within 30 days of the appointment of the mediator(s), unless both parties agree to an extension of no more than 30 days. At any time, either party may withdraw from the mediation process.

4. If settlement is not achieved by negotiation or mediation, invoke appropriate discipline or dismissal. When the provost invokes either discipline or dismissal, he/she shall provide the faculty member with a copy of any investigatory report produced and a copy of any written recommendation as provided above. The provost shall also inform the faculty member of his/her right to appeal to the Committee on Faculty Rights and Responsibilities (CFRR). Such appeal must be filed with the Office of the Secretary of the Faculty within 30 calendar days of the provost's notification as detailed in this clause.

#### 9.07. COMMITTEE ON FACULTY RIGHTS AND RESPONSIBILITIES.

A. When a faculty member appeals a disciplinary action to the committee, the committee shall:

1. Conduct fact-finding hearings if requested by the faculty member or by the provost or if deemed necessary by the committee;
2. Make recommendations to the chancellor concerning the validity of the appeal.

B. When a faculty member appeals dismissal, the committee shall under UWS 4.03 serve as the standing committee to hear and act on the case, except for cases involving allegations of misconduct in scholarly research in which the Hearing Committee on Misconduct in Scholarly Research shall be the standing committee, under Faculty Document 867a. For the purposes of Wis. Stats. s. 36.115(4)(b), this panel serves the role of impartial hearing officer.

9.08. CFRR HEARINGS.

When CFRR is holding a fact-finding hearing in a discipline case or is acting as a hearing body in a dismissal case, it shall operate as provided in UWS 4.05 and 4.06. Additionally, the faculty member shall have a right to:

- A. service of notice of hearing with specific charges in writing at least twenty days prior to the hearing;
- B. notification of the name(s) of the complainant(s);
- C. be heard by all bodies passing judgment or making recommendations;
- D. refrain from testifying without such omission being used as formal evidence of guilt; and
- E. a stenographic record of all hearings and transcripts thereof at no cost to him/her.

9.09. FINDINGS BY CFRR.

- A. A finding of just cause for the imposition of discipline or just cause for dismissal must be based on clear and convincing evidence in the hearing record.
- B. A finding by the committee of just cause for discipline or just cause for dismissal requires a majority vote with not more than two dissenting votes. Otherwise, the committee shall report that just cause for discipline or just cause for dismissal has not been established. The vote shall be reported in every case.

9.10. SUSPENSION.

The faculty committee to be consulted by the chancellor in considering suspension under UWS 4.09 is the University Committee.

9.11. TRANSMITTAL OF CFRR FINDINGS IN DISCIPLINE CASES.

- A. CFRR shall transmit its findings of fact and recommendations in discipline cases in writing to the chancellor, with copies to the provost, to the faculty member involved, and to the complainant within ten days of the conclusion of its proceedings.
- B. Within ten days of the transmittal of the committee's findings and recommendations to the chancellor, the faculty member concerned or the original complainant may file written objections with the chancellor.
- C. The chancellor shall, as soon as practicable after the expiration of this ten-day period, render his/her decision and transmit such decision to the committee, the provost, the faculty member concerned, the original complainant, and the University Committee.

9.12. CFRR TRANSMITTAL OF FINDINGS IN DISMISSAL CASES.

CFRR shall transmit its findings of fact and recommendations in dismissal cases in accordance with UWS 4.07.



9.13. NO FURTHER JEOPARDY.

Following recommendations of CFRR and a decision by the chancellor, or following action by the provost if the committee is not involved, the faculty member concerned shall not be subject again under these rules to the same charges arising from the original complaint.

9.14. PROCEDURES WHEN MISCONDUCT IN SCHOLARLY RESEARCH IS ALLEGED.

Whenever the provost acting as the Deciding Official pursuant to Faculty Document 2668a has issued an institutional decision imposing discipline or dismissal of a faculty member on the basis of misconduct in scholarly research, sections 9.01. through 9.05.B., 9.10., and 9.13. of this chapter, as well as other sections specifically noted below, shall govern faculty dismissal and disciplinary actions as follows:

A. The report of the Investigation Committee provided for in Faculty Document 2661a shall constitute the investigation required by 9.06.A. and the complaint referred to in 9.01. and 9.04. When serving as Deciding Official pursuant to Section VI of Faculty Document 2668a, after reviewing the report of the Investigation Committee and the response, if any, of the faculty member, if the provost believes that dismissal may be warranted, the provost shall proceed in accordance with UWS 4, or, if the provost believes that lesser discipline may be warranted, the provost shall proceed in accordance with 9.06.C.3. or 9.06.C.4., and UWS 6.01. If the provost decides to dismiss the case, he/she shall proceed in accordance with 9.06.C.1. A hearing to appeal the provost's actions shall be conducted by the CFRR under Faculty Document 2668a, as provided below and in Faculty Document 2668a Section VII.

B. The Committee on Faculty Rights and Responsibilities (CFRR) shall serve as the body to hear the appeal provided for in Section VII of the Faculty Document 2668a. The chair of the CFRR may request the substitution of up to two regular members of the CFRR with not more than two special members of the CFRR who have the scholarly competence and expertise appropriate for the hearing of this matter.

C. The CFRR shall proceed in accordance with the provisions of UWS 4.04-4.06 and Faculty Document 2668a, Section VII. In this appeal, the University bears the burden of proof for all issues related to the allegations of research misconduct. The faculty member bears the burden of proof for any claims asserted in opposition to the institutional decision.

D. Within 10 days after service of the notice of the institutional decision, the faculty member may appeal to CFRR by giving written notice of the appeal to the Deciding Official, as determined under Section VI of Faculty Document 2668a.

1. CFRR shall review the record made by the Inquiry Committee, the Investigation Committee and the Deciding Official, but shall not receive any new evidence. CFRR may ask members of the Investigation Committee to explain matters within their expertise, and the faculty member is entitled to be present when any such explanation is given and to ask pertinent questions. As directed by the CFRR, the faculty member may submit a written statement and appear personally before the CFRR.

2. The institutional decision shall be affirmed unless CFRR determines (a) that the factual findings are clearly erroneous, or (b) that the Investigation Committee or Deciding Official erred in applying the law and that this error influenced the committee's decision, or (c) that the recommended sanction is inappropriate. In determining whether a factual finding is clearly erroneous, the question to be answered by CFRR is not whether it would have reached the same conclusion as the Investigation Committee or Deciding Official but, rather, whether reasonable people could have considered the findings to have been supported by a preponderance of the evidence. Similarly, the criterion for reviewing the sanction shall be whether reasonable people could consider it appropriate under the circumstances of the case. If CFRR finds error as defined above, it will recommend to the chancellor actions to remedy the error. If CFRR finds an inappropriate sanction was recommended, it will recommend a different sanction.

3. If the institutional decision is appealed to CFRR, CFRR shall formulate a written decision and transmit it to the chancellor and the faculty member within 45 days after the initiation of the appeal. Within ten days of receipt of the recommendation from CFRR, the faculty member may file objections with the chancellor.

4. The chancellor shall issue an appeal decision and rationale to affirm, reject or modify the action specified in the recommendation from the CFRR within 30 days of receipt of the recommendation. This period may be extended for good cause.

E. If no appeal is taken to CFRR from the institutional decision, the faculty member may file objections with the chancellor within ten days after receipt of the institutional decision.

F. Procedures thereafter shall be according to UWS 4.07-4.10 or UWS 6.01.

*History: 9.07 approved by Fac doc 2841 on 2019-10-07*

*History: 9.06.C approved by Fac doc 2811 on 2019-03-04*

*History: 9.14 approved by Fac doc 2668b on 2017-02-06*

*History: 9.05 approved by Fac doc 2615 on 2016-05-17*

## CHAPTER 10: LAYOFF OR TERMINATION

### 10.01. DEFINITIONS

- A. For the purposes of this chapter, “program” shall mean a related cluster of credit-bearing courses that constitute a coherent body of study within a discipline or set of related disciplines. When feasible, the term shall designate a department or similar administrative unit that offers majors and has been officially recognized by the University Academic Planning Council (UAPC). Academic programs cannot be defined ad hoc, at any size, but should be recognized academic units.
- B. For the purposes of this chapter, “program discontinuance” as described in Wis. Stat. 36.21-22 shall mean formal program elimination or closure.
- C. For the purposes of this chapter, “curtailment” as described in Wis. Stat. 36.21-22 shall mean a reduction in the size of a program.
- D. For the purposes of this chapter, “modification or redirection” as described in Wis. Stat. 36.21-22 shall mean “departmental restructuring” as described in FPP 5.02.
- E. For the purposes of this chapter, “financial emergency” is defined and may be declared as described in s. UWS 5.02 of the Wisconsin Administrative Code.
- F. For the purposes of this chapter, “educational considerations” shall not include cyclical or temporary variations in enrollment. Educational considerations must reflect long-range judgments that the educational mission of the institution as a whole will be enhanced by a program’s discontinuance.
- G. For the purposes of this chapter, “layoff” is the indefinite suspension or involuntary reduction in services and compensation of a faculty member’s employment by the University of Wisconsin System (Wis. Stat. 36.22(1)(a)). A laid off faculty member retains the rights specified in Wis. Stat. 36.22(11)-36.22 (15).
- H. For the purposes of this chapter, “termination” is the permanent elimination of a faculty member’s employment by the University of Wisconsin System (Wis. Stat. 36.22(1)(c)). A faculty member whose position has been terminated retains the rights specified in Wis. Stat. 36.22(13)-(14).

### 10.02. LAYOFF AND TERMINATION FOR REASONS OF FINANCIAL EMERGENCY OR EDUCATIONAL CONSIDERATIONS.

- A. Except as provided in subdivision B below, no faculty member shall be laid off or terminated due to curtailment, modification, and/or redirection of a department. Faculty displaced due to restructuring of a program or discontinuance of a program for reasons other than financial emergency or educational considerations will be placed in another suitable position, at the same rank. If placement in another position would be facilitated by a reasonable period of training, such retraining and relocation will be provided and the institution will bear the cost.

B. The chancellor may lay off or terminate a tenured faculty member, or lay off or terminate a probationary faculty member prior to the end of his/her appointment, under extraordinary circumstances because of a financial emergency, or because of program discontinuance based on educational considerations. Such layoffs or terminations will be made in accordance with the provisions of UWS Chapter 5, Wis. Stat. 36.22, and this chapter and imply the retention of rights indicated therein. A nonrenewal under FPP 7.06., regardless of reasons, is not a layoff or termination under this section.

#### 10.03. FINANCIAL EMERGENCY: CONSULTATION AND RECOMMENDATIONS.

A. The chancellor shall consult with the Faculty Consultative Committee on Financial Emergency (FPP 6.36.) if at any time a declaration of financial emergency is to be considered. It is the right and responsibility of the Faculty Consultative Committee on Financial Emergency to represent the faculty if a declaration of a state of financial emergency for the campus is being considered and to assure that the procedures of UWS 5.05 and 5.06 are followed.

B. Consultation shall proceed in accordance with UWS 5.05 and shall include consultation with the Academic Staff Executive Committee and the University Staff Executive Committee, as well as those other individuals and groups who may be able to provide valuable advice (see UWS 5.05(1)(e)).

C. The chancellor and the Faculty Consultative Committee on Financial Emergency shall consider all feasible alternatives to termination of appointments such as the voluntary reduction of fulltime faculty members to part-time status, in accordance with FPP 7.19.C., expenditure of onetime money or reserves as bridge funding, furloughs, pay cuts, deferred compensation plans, early-retirement packages, deferral of nonessential capital expenditures, and cuts to noneducational programs and services, including expenses for administration.

D. If the chancellor decides to recommend the declaration of a state of financial emergency for the campus, that recommendation to the system president and the board shall be accompanied by a report which shall be in conformity with UWS 5.06(1).

E. Before any proposal to declare a financial emergency is made, the faculty or an appropriate elected faculty body will have opportunity to render an assessment in writing of the institution's financial condition. The faculty or an appropriate elected faculty body will have access to at least five years of audited financial statements, current and following-year budgets, and detailed cash-flow estimates for future years as well as detailed program, department, and administrative-unit budgets.

F. The chancellor and the chair of the Faculty Consultative Committee on Financial Emergency or their designees, and representatives of affected colleges, schools, departments, and programs may appear before the board at the time the recommendation is considered. Other interested parties may submit alternative recommendations or challenges to any part of the report in writing.

#### 10.04. FINANCIAL EMERGENCY: INDIVIDUAL DESIGNATIONS.

Once the board has accepted the chancellor's declaration of a state of financial emergency, it shall be the primary responsibility of the executive committees of the affected department(s) to recommend

which individuals shall have their appointments reduced or terminated. Such recommendations shall be made in accordance with the provisions of UWS 5.07 and this chapter.

#### 10.05. EDUCATIONAL CONSIDERATIONS.

A. The chancellor's recommendation to the board to discontinue formally a program will be based upon educational considerations, as determined primarily by the faculty as a whole or an appropriate committee thereof, as described in Regent Policy Document 20-24, Section II, Paragraphs A through G. FPP 5.02 is not applicable to program discontinuance based on educational considerations that may result in faculty layoff under this Chapter 10; however, the Chancellor shall consult the bodies listed in FPP 5.02 c(1-4).

B. Faculty members in a program being considered for discontinuance for educational considerations will promptly be informed of this activity in writing and provided at least thirty days in which to respond to it. Tenured and probationary faculty and academic staff will be invited to participate in these deliberations.

C. Before the chancellor issues notice to a faculty member of an intention to terminate an appointment because of discontinuance of a program, the institution will devote its best efforts to place the faculty member concerned in another suitable faculty position. If placement in another position would be facilitated by a reasonable period of training, such retraining and relocation will be provided and the institution will bear the cost where readaptation is feasible as provided in s.36.22(12). If no position is available within the institution, with or without retraining, the faculty member's appointment then may be terminated, but only with provision for severance as indicated in 10.11.

D. Faculty members may contest a proposed relocation under the hearing procedures described in section 10.08 below.

E. Faculty members recommended for layoff or termination due to discontinuance of a program for educational considerations shall have the same rights of notification, hearing, and review described in 10.07.-10.10. below.

#### 10.06. SENIORITY.

A. For purposes of this chapter, seniority within a department or program shall be according to rank and within rank according to length of service at that rank. Length of service shall be calculated at the full-time rate for those faculty members whose status was reduced to parttime by mutual agreement because of an anticipated declaration of financial emergency.

B. Length of service shall be computed from the effective date of the appointment at the University of Wisconsin-Madison, except that in the case of an initial appointment with tenure the dean may, on the recommendation of the departmental executive committee, grant additional seniority by counting all or a portion of service elsewhere that is equivalent to service in the university at the rank granted. No initial appointment during a financial emergency shall include seniority for service elsewhere than at the University of Wisconsin--Madison. The letter of

appointment shall indicate the nature of the seniority granted if it is other than from the effective date of the appointment.

C. If two or more appointments at the same rank in the same department or program become effective at the same time, relative seniority among the individuals involved shall be determined by a random process prior to the effective date of the appointment. If two or more individuals currently have identical seniority, and one of them had voluntarily accepted a reduction in appointment in accordance with 10.03.C., then that individual shall have the greater seniority; otherwise a process of random selection will be employed to give each a unique seniority position. The process to be used shall be determined by the faculty senate.

D. The period of an approved leave of absence is included in determining length of service.

E. If a faculty member is reappointed as an instructor or assistant professor without a break in service, length of service shall be computed from the date of initial appointment at that rank.

F. If a faculty member is reappointed after having left the university, the appointment shall be treated as an initial appointment and previous service in the university considered on the same basis as service elsewhere as provided in 10.06.B.

G. Every effort, consistent with federal and state laws regarding fair employment practices, shall be made to ensure that the university's affirmative action programs are not impaired by the operation of this seniority system.

#### 10.07. NOTIFICATION

Each faculty member whose position is recommended for layoff or termination shall be notified in accordance with Wis. Stats. 36.22(4) and 36.22(5).

#### 10.08. HEARING

A. A faculty member whose position is recommended for layoff or termination is entitled to a full, on-the-record adjudicative hearing as provided in Wis. Stat. 36.22(8)(b). The issues in the hearing may only include those described in Wis. Stat. 36.22(7)(b).

B. The Committee on Faculty Rights and Responsibilities shall operate as the hearing agent for the board pursuant to Wis. Stat. 36.22(6), and conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence, and transmit such record and summary along with its recommended findings of fact and decision to the board.

#### 10.09. RECOMMENDATIONS AND BOARD REVIEW

A. The recommendations of the chancellor and the recommendations, if any, of the Committee on Faculty Rights and Responsibilities shall be forwarded to the president and the board and acted upon by the board in accordance with Wis. Stat. 36.22(9).

B. Review by the board is governed by Wis. Stat. 36.22(9) and 36.22(10).

#### 10.10. LAYOFF STATUS AND RETAINED RIGHTS

A. A faculty member whose position has been eliminated or reduced in accordance with the provisions of this chapter shall be placed on layoff status and shall so remain until removed according to Wis. Stat. 36.22(11).

B. A faculty member designated for layoff or on layoff status shall have the rights provided in Wis. Stat. 36.22(12), 36.22(13), and 36.22(14), and, in addition, shall have the following rights: faculty on layoff status will be entitled to use university-wide facilities. Use of the facilities of a school, college, department, or program will be determined by the faculty thereof.

C. Faculty members on voluntary or compulsory reduction of appointment under this chapter retain full membership in the faculty regardless of the percent of appointment and continue to be governed by these Faculty Policies and Procedures; in addition, the annual notice required in Wis. Stat. 36.22(11)(b)(5) shall be deemed to be given automatically by virtue of the continued part-time appointment. In the event that a faculty member on voluntary or compulsory reduction of appointment shall accept an appointment at a greater fraction of full time as specified in UWS 5.16(2)(b)1, then any subsequent claim to increased appointment shall be forfeited.

#### 10.11. SEVERANCE

A faculty member who is to be laid off or terminated under this policy has a statutory right to at least twelve months' notice under Wis. Stat. 36.22(5)(a) at the faculty member's current salary. At the discretion of the chancellor or designee, in consultation with the faculty member, the faculty member may be granted up to twelve months' salary as severance pay in lieu of part or all of the statutory notice period.

*History:* Significantly re-written by Fac doc 2569b on 2015-11-02

## CHAPTER 11: SUMMER TERM

### 11.01. SUMMER TERM.

There shall be summer terms of such lengths as may be approved by the chancellor.

### 11.02. SUMMER TERM ADMINISTRATION.

- A. The Dean of the Summer Term is appointed by the Provost and Vice Chancellor for Academic Affairs and acts as the general coordinating officer. The Dean of the Summer Term may appoint a staff to provide campuswide support and coordination for summer term activity.
- B. Each school and college shall appoint a summer dean to participate in campuswide planning for summer term.
- C. After academic departments and their respective college deans identify the appropriate array of educational programming for summer term, the deans submit programs and budgets to the Dean of the Summer Term. After the budget has been approved, appointments and payrolls are administered by the departments in the same manner as during the regular academic year.

### 11.03. SUMMER TERM COMPENSATION.

All summer work performed by 9-month faculty, academic staff, and limited appointees requires prior approval by the individual's appointing unit and dean or director office. For instructional service in summer term, divisions establish workload practices with their departments. Determining workload typically takes into account the length of the summer term and the number of credits taught. Compensation for part-time service will be prorated. Cancellation clauses based on low enrollment can be included in appointment agreements.

### 11.04. SUMMER TERM APPOINTMENTS.

Any work performed by 9-month faculty or staff teaching summer term is voluntary and subject to employee's agreement. To ensure appropriate staffing to support summer term instructional activities, departments and colleges may pursue a variety of staffing options.

- A. **OVERLOAD.** An employee may agree to perform duties outside of their normal work assignments. In these circumstances, an overload request – identified as employment beyond 100 percent – may be approved if the need for additional compensation can be sufficiently demonstrated. Summer employment for 9-month employees is not considered an overload. In limited situations, 9-month employees may receive an overload in addition to the summer session or service payment.
- B. **DUAL ROLE WAIVER.** Schools and colleges may allow research scientists and researchers to work in a teaching capacity during Summer Term, so long as the employee and supervisor have considered and documented the funding implications and effort reporting requirements. Prior approval is also required if the dual role creates an overload.



*History: 11.01, 11.02, 11.03, 11.04 amended by Fac doc 2707 on 2017-12-04*