

UW-Platteville Faculty Bylaws--Copy of Original Document

(Only the sections relevant under Wisconsin Administrative Code 2.02 that were revised or deleted are included below.)

Part II: Governance Structure

Article III Councils and Commissions

Section 5 University Rank, Salary, and Tenure (URST) Policy Commission

a. Responsibilities

- i. Evaluates and coordinates the policies of the college RST committees in a manner consistent with Faculty Senate and Board of Regents policies and procedures.
- ii. Develops and recommends for Faculty Senate adoption overall RST policies.
- iii. Consults with the Academic Planning Council in areas where academic and budgetary priorities and policies relate to questions of rank, salary, and tenure.
- iv. Sets the general policy guidelines and procedural standards (in addition to, and in conformity with, the RST procedures set forth in the local Personnel Rules and Procedures CBylaws [sic], Part III) that will serve to guide the college RST committees in their work, and assure [sic] that the college committees are informed about them and carry them out.
- v. Establishes the procedures according to which the resources for merit awards and inequity adjustments shall be made available to the college RST committees, and monitors the standards and guidelines by which the college RST committees shall make those awards and adjustments.
- vi. Recommends to the Faculty Senate the procedures for determining salaries.
- vii. Conducts the faculty evaluations of the deans, provost, and chancellor. Summarizes the evaluations and provides a copy of the summary to the administrator.
- viii. Consults with the Provost and the Equal Employment Opportunity Officer when necessary.

b. Membership

- Faculty Representatives: Three faculty members from each college, with no more than one from any department. One member is appointed by and from each CRSTC annually. The other members from each college must be tenured and are elected in an all-faculty election for two-year staggered terms. No member shall serve more than for [sic] consecutive years. No academic dean is eligible to serve.
- Ex-Officio: Provost (non-voting)

Part II: Governance Structure

Article III Councils and Commissions

Section 6 Appeals Commission

For the purposes of this section, the Library faculty shall be considered a department.

a. Responsibilities

- i. Hears any faculty member's appeal of a decision not to renew a probationary member's appointment, or to deny tenure at the completion of the maximum probationary period, made by a department review body, the tenured members of a department or its functional equivalent, or a college RST committee, according to the appeal procedure set forth in the Faculty Bylaws, Part III, Article VIII, Section 3.
- ii. Acts as an appeal body on the request of any faculty member against whom the Chancellor has filed charges that may lead to dismissal. In such circumstances, the commission shall act as a hearing agent for the Board of Regents pursuant to Section 227.12 Wis. Stat., and in accordance with all procedures set forth in UWS 4.
- iii. Acts as an appeal body on the request of any faculty laid off because of fiscal emergency, in accordance with all the procedures set forth in UWS 5.

b. Membership

- i. There shall be nine members on the commission appointed by the Faculty Senate upon recommendation of the Appointments and Elections Committee except that:
 1. there shall be no more than one member from any one department,
 2. there shall be no member currently serving on any CRST committee,
 3. each member shall be appointed to a three year term and a member may serve two consecutive terms, and
 4. all members shall be tenured.
- ii. The Faculty Senate shall maintain a list of alternates to serve as members of the Appeals Commission under the conditions specified in b, iii, 2 below. These alternates shall serve three year terms and may serve consecutive terms unless they become active members of the commission. In this case they may not serve more than two consecutive terms as members or alternates.
- iii. A panel of five members shall be selected by the Commission to hear a particular case according to the following:
 1. No member of the appealing member's department or DRB may serve on the appeal panel for that faculty member.

2. In the case of an appeal of a non-renewal, the appealing faculty member shall have the option of disqualifying one member of the commission from serving on that faculty member's review panel; the review body that initiated the adverse decision shall also have the option of disqualifying one member; and commission members may disqualify themselves.

In the case of an appeal of a denial of tenure at the completion of the maximum probationary period, the appealing faculty member shall have the option of disqualifying one member of the commission [sic] from serving on that faculty member's review panel; the tenured members of the department or its functional equivalent shall also have the option of disqualifying one member; and commission [sic] members may disqualify themselves.

If fewer than five members remain on the review panel, the Executive Committee of the Faculty Senate shall appoint an alternate or alternates (sufficient in number to make a panel of five) from the list of alternates to be maintained according to b, ii, above.

3. In the event that not enough regular members or alternates are able to serve, the Executive Committee of the Faculty Senate shall prepare a list of alternates to be approved by the Faculty Senate.
- iv. The Appeals Commission shall select its own Chair, and when constituted, each panel shall select its own Chair.

c. Reporting Procedures

- i. When acting on an appeal of a non renewal or denial of tenure at the completion of the maximum probationary period decision, its report may include remedies which can, without limitation because of enumeration, take the form of a reconsideration by the decision maker under instructions from the panel, or a recommendation to the next higher reviewing level. The panel shall remand all cases for reconsideration by the decision maker, unless it specifically finds that such a remand would serve no useful purpose. The panel shall retain jurisdiction during the pendency of any reconsideration. If an adverse decision has been made by the department or the college RST committee, and the appeals panel believes an error has been made, it shall abide by the provisions in Part III, Article VIII.
- ii. When acting on a dismissal case, the panel shall act in accordance with the provisions of UWS 4.07.
- iii. When acting on a layoff case, the panel shall act in accordance with all the provisions of UWS 5.14.

Part II: Governance Structure

Article V Ancillary College-Level Structures

Section 3 College Rank, Salary, and Tenure Committees

a. Duties

- i. Review and act upon the appropriate DRB's evaluations and recommendations concerning each faculty member. Each college RST committee will require supporting information from the DRB, and if the department chair's evaluation and/or recommendation differs from those of the DRB, it will consider both. In making its own judgments, the college RST committee will take into account the same criteria and standards incumbent upon the DRB (identified below in Article VI, Section 4, a).

If the college RST committee agrees with the DRB's recommendation having to do with rank, it shall forward the recommendation to the Provost. If the college RST committee disagrees with the DRB, it shall consult with the DRB with a view to reaching an accord, and if that effort fails, forward to the Provost its own recommendation, the DRB's recommendation and the department chair's separate [sic] recommendation.

Review and act upon tenure recommendations by the tenured members of the department or its functional equivalent. If the college RST committee agrees with the recommendation, it shall forward the recommendation to the Provost. If the college RST committee disagrees with the recommendation of the tenured members, in the case of a tenure decision made before the completion of the maximum probationary period, the college RST committee will follow the procedures set forth in Part III, Article VIII, Section 1 of the Bylaws.

If the college RST committee disagrees with the recommendation of the tenured members in the case of a tenure decision made at the completion of the maximum probationary period, the college RST committee will follow the procedure set forth in Part III, Article VIII, Section 2 of the Bylaws

- ii May initiate the consideration of any faculty member under its jurisdiction for a merit award or inequity adjustment, but the college RST committee may not make a merit award or inequity adjustment without the concurrence of the DRB.
- iii. Shall notify each faculty member in writing as soon as is practicable of all college RST committee judgments concerning that member and shall abide by the more detailed rules and procedures for notification in matters having to do with non-renewal, denial of tenure, and termination as set forth in Faculty Bylaws Part III, Article VIII, Section 2.
- iv. Shall notify the department review body when it (the college RST committee) makes a judgment and/or recommendation contrary to one made by the DRB.

- v. Shall reconsider any of its judgments and recommendations as is required if a faculty member invokes the privileges outlined in the Faculty Bylaws, Part III, Article VIII, Sections 1-3.

b. Membership and Chair

- i. Each college RST committee shall consist of members in that college and shall consist of at least five tenured faculty members. No more than two members may be from the same department and no more than one member from the same discipline. Each member shall be elected by the whole college faculty. Department chairs, school directors, members of the department or school review bodies, members of the Appeals Commission, and probationary faculty on a terminal contract are not eligible to serve.

Each college RST committee shall elect yearly a chair from its membership. The college dean or the assistant/associate dean (non-voting) is eligible to serve in this capacity. The college dean must send forward his/her own letters concerning probationary faculty and may send forward his/her own recommendations concerning tenured faculty and other matters deliberated upon by the committee. Each college RST committee shall select yearly from its membership, a member to serve on the University Rank, Salary and Tenure Policy Commission.

c. Voting Eligibility

- i. No college RST committee member may vote on his or her own evaluation or recommendation. No non-tenured member may vote on any recommendation concerning tenure.

Part II: Governance Structure

Article V Ancillary College-Level Structures

Section 4 Library RST Committee

a. Duties

The Library RST Committee shall be created by those faculty whose services are assigned primarily to the library. The committee shall serve as the functional equivalent of a departmental review body with regard to evaluation of library faculty, and as the functional equivalent of a college RST committee with regard to the University RST Policy Commission.

b. Membership and Chair

The Library RST Committee shall consist of the Library Director (non-voting) and no fewer than two other faculty members elected by the library faculty.

Part II: Governance Structure

Article VI Department Review Bodies

For the purpose of faculty review, references to departments, and/or department review bodies (DRBs) are intended to include schools, and/or school review bodies (SRBs). The director of a school is intended to be equivalent to a department chair.

Section 1 Establishment of Criteria for Evaluation

Each department shall establish criteria to serve as the basis of faculty evaluation of teaching. The department shall also develop criteria for the evaluation of research, professional and public service, and contribution to the university, consistent with the current URSTPC guidelines approved by the Faculty Senate.

Section 2 Establishment of Department Review Bodies

Each department shall make provision for a department review body in accordance with one of the following two procedures listed below.

a. On the initiative of the department faculty:

- i. The department may constitute itself, or some members thereof, as a department review body, providing that the review body shall include at least three tenured faculty members other than the department chair. The department chair must send forward his/her own recommendations concerning matters deliberated by the DRB. Departments that do not have three tenured members shall select an additional member (or additional members) for the review body from other departments within the college; such additional members must be approved by the faculty in the department; or
- ii. Several departments, by majority vote of each, may choose to combine for renewal, rank and salary purposes; the combined departments shall then make provision for a department review body for the faculty in the combined departments; such a review body shall have at least three tenured members other than a department chair. The department chair must send forward his/her own recommendations concerning matters deliberated by the DRB.

b. Chair

- i. A department review body shall elect yearly a chair from its membership. Department chairs not are [sic] eligible to serve in this capacity.

c. No probationary faculty member on a terminal contract may serve on a departmental review body.

Section 3 Voting Eligibility

No department review body member may vote on any evaluation or recommendation concerning him- or herself. Any department chair serving on the DRB for his/her department shall serve as a nonvoting member.

Section 4 Duties of Department Review Bodies

The department review bodies shall:

- a. Make periodic evaluation of all faculty under its jurisdiction, based on appropriate peer and student evaluation of professional performance. Such evaluations are to be elicited according to a plan adopted by the department;
 - in the light of evaluation criteria established according to the provisions of section 1 of this article;
 - in the light of Affirmative Action standards and Equal Employment Opportunity policies;
 - in the light of standards listed in the second paragraph of the Faculty Bylaws, Part III, Article VIII, Section 3; and
 - according to general procedures set by the University RST Policy Commission.
- b. Use the evaluations to make appropriate recommendations to the College RST Committee concerning individual rank, salary, merit award, inequity adjustment, or retention. The department review body shall also forward to the CRSTC the results of tenure votes made by the tenured membered [sic] of the department or its functional equivalent as described in Part III, Article VI, Section 1. Individual numerical data and rankings for peer and student evaluations shall not be sent forward to the CRSTs.
- c. Share the DRB's recommendation in writing with the affected faculty member prior to the time it is forwarded to the next higher review body.
- d. Make the evaluation of each faculty member available to that member in such a way that he or she might be encouraged and helped to improve his or her professional performance.
- e. Reconsider any of its evaluations and recommendations as is required if a faculty member invokes the privileges outlined in the Faculty Bylaws, Part III, Article VIII. Sections 1-3.
- f. Abide by the more detailed rules and procedures for notification in matters having to do with non-renewal, denial of tenure, and termination as set forth in the Faculty Bylaws, Part III, Article VIII, Section 2.

Section 5 Authority of Representative Department Review Bodies

When a department review body is representative (that is, when a department or group of departments select some of its members to form a department review body instead of acting as a

whole on renewal, rank, and salary matters), the decisions of the department review body may not be countermanded or altered in any way by that department (or departments). Faculty members who disagree with any decision or recommendation made by a department review body may make their views known, singly or collectively, to that department review body reconsidering an earlier action, or to a higher review body, or to the Appeals Commission hearing.

Part III: Personnel Rules and Procedures

Article III Recruitment and Initial Appointment

The recruitment and initial appointment process shall be carried out according to the following rules and procedures.

Section 1 Eligibility

All department members shall be eligible to take part in the recruitment and initial appointment process described in this article, except:

- a. the incumbent in the position to be filled if declared ineligible by vote of the department, and
- b. candidates for the position who are already department members.

If the vacancy is that of a department chair, the department shall elect one of its eligible members to act as department chair in all matters relating to recruitment and initial appointment.

Section 2 Position Description and Vacancy Announcements

By majority vote of the full department membership (defined in Section 1 above), a statement shall be adopted specifying:

- a. the responsibilities to be assigned,
- b. the corresponding competencies required in the person filling the vacancy, and
- c. what type of contract is desired.

The vote may reaffirm a previous statement of such responsibilities and competencies.

The college dean and the department chair, in consultation with the Chancellor, the Vice Chancellor, and the department, will then determine whether the appointment will be a regular academic year (or twelve-month) contract, or an academic staff contract.

After the type of contract has been determined, the department shall then invite appropriate faculty and appropriate students to recommend candidates, and the position shall be advertised widely in suitable media. That notice shall include a statement of the university's commitment to

Affirmative Action and Equal Employment Opportunity recruitment policies, and a statement indicating whether the appointment is to be filled by someone holding a regular academic year (or twelve-month) contract, or an academic staff contract.

The department will keep in mind that where layoffs have occurred because of fiscal emergency, no person may be employed at the institution within three years to perform reasonably comparable duties to those of a faculty member laid off, without first offering reappointment to the laid-off faculty member without loss of tenure, seniority, or other rights.

Section 3 Department Search and Screen Committee

The evaluation of candidates and the final selection to be proposed to the Chancellor will now proceed under one of two sets of circumstances:

- a. If the number of department members who may participate in the evaluation of candidates is reduced to fewer than three (3) because of:
 - i. the size of the department, and/or
 - ii. the limitation [sic] on department membership for the purposes of this article that are identified in Section 1 above, and/or
 - iii. the physical unavailability of department members because of illness, being on vacation, or like cause, then the dean shall, after consultation with all the remaining department members, appoint additional faculty to the search and screen committee to make a committee of at least three (3). The additional faculty member(s) so appointed shall be members of a department or departments whose academic discipline is as nearly related as possible to the discipline of the department with the vacancy.
- b. If the number of department members who may participate in the evaluation of candidates is not reduced to fewer than three (3) because of any or all of the factors identified in a, then the department shall vote to constitute itself as a search and screen committee, or to designate certain members of the department to constitute such a committee, provided that in the latter case at least two are so designated.

By whichever means (a or b) that a search and screen committee is established, the college dean shall, at his or her discretion, serve with the committee as consultant. Faculty and students shall be invited to offer their evaluation of the candidates. If condition a prevails, the final selection shall be made by a majority vote of the three (or more) member committee on an affirmative motion. If condition b prevails, the final selection shall be made by a majority vote of the entire department on an affirmative motion.

Section 4 Dean's and Vice Chancellor's Action

The department's recommendation shall be forwarded to the dean for consideration. If the dean finds the department's recommendation acceptable, the dean will forward the recommendation to

the Vice Chancellor. If the Vice Chancellor finds the dean's recommendation acceptable, the appointment procedure outlined in Section 5 below will commence.

If the dean does not find the department's choice acceptable, the dean shall ask the department chair to convene a meeting of all department members, and they shall discuss the matter together. If, after the consultation, the dean's adverse judgment remains unchanged, the department shall retrace whatever steps outlined in Sections 2 and 3 above are necessary, and offer another recommendation.

If the Vice Chancellor does not find the dean's recommendation acceptable, the dean and Vice Chancellor shall discuss the matter together. If the Vice Chancellor's adverse judgment remains unchanged, the department will retrace whatever steps outlined in Sections 2 and 3 above are necessary, and offer the dean another recommendation.

Section 5 Offering a Contract

When the Vice Chancellor accepts the dean's recommendation, the department chair and the dean, in consultation with the Vice Chancellor, shall negotiate the terms and conditions of the appointment, including duration of the appointment, salary, rank, starting date, ending date, probation, tenure status, and any credit that shall be given to prior service, among other matters they may regard as appropriate. If the candidate offers a verbal acceptance of an appointment on these terms, the Vice Chancellor, as the Chancellor's designee, shall send to the candidate a letter of appointment including the terms as specified above, a copy of the department's profile of duties to be performed, and an explanation of institutional and system rules and procedures relating to faculty appointments, as well as a form for the appointee to sign indicating formal acceptance of the appointment. If the appointment is subject to advance approval of the Board of Regents, a statement to this effect must be included in the letter.

Section 6 Types of Appointment and Length of Probationary Period

Faculty appointments may be for the academic year or twelve months and shall be probationary or tenured.

The maximum probationary period shall be seven (7) years as provided in UWS 3.04. The maximum for a part-time position of at least half-time shall be ten (10) years. No one holding less than a half-time appointment is eligible for tenure. A leave of absence, sabbatical leave, or teacher improvement assignment shall not constitute a break in continuous service, nor shall it be included in the probationary period. Any shortening of the probationary period or counting of prior service must be based upon the recommendation of the department or its functional equivalent and approved by the Chancellor or his designee.

All initial academic staff appointments shall be of a type specified in Policies and Procedures Governing Academic Staff.

Part III: Personnel Rules and Procedures

Article IV Recommendations Concerning Renewal of Probationary Appointments

Section 1 Notification of Review for Renewal

The department chair shall assure that each probationary faculty member is notified in writing of the date of his or her department review at least twenty calendar days prior to the date of that review. At the same time, the department review body shall invite other department members, and any other colleagues identified by the faculty member to be reviewed, to present information on his or her behalf. The department chair shall notify the department of impending reviews at higher levels as per URSTPC guidelines for that year.

Section 2 Recommendation Concerning Renewal

Department review bodies shall decide annually to renew or not renew the appointment of faculty members on probationary appointments. Beginning in the probationary faculty member's second year, if the faculty member is recommended by the department review body for reappointment, the tenured faculty of the discipline shall review the file annually to discuss the person's prospects for tenure and prepare a written statement that will be placed in the individual's file. If the tenured faculty have any concerns regarding the probationary faculty member's prospects for tenure, they should be addressed in this written statement. A copy of this statement shall be given directly to the individual. In addition, in situations where the department's position allocation is reduced after the DRB has made an affirmative recommendation, the department shall have the opportunity to reconsider its earlier recommendation in light of the reduction. The decision to renew will be forwarded to the college RST committee for further consideration. The recommendation to renew a faculty member's probationary contract may contain a further recommendation that the renewal take the form of a terminal contract (provided that the contract period does not extend beyond the maximum probationary period). The decision not to renew will be made known to the affected faculty member in writing within twenty calendar days, and the faculty member shall be informed of the recon-sideration [sic] and appeal procedures outlined in Faculty Bylaws, Part III, Article VIII, below.

Section 3 Recommendation Concerning Renewal of Department Chairs

When the department chair is a probationary faculty member, he or she will not submit a recommendation for renewal concerning him- or herself. All the provisions of Sections 1 and 2 above will be followed, except that the college dean will also submit an evaluation and recommendation concerning the department chair to the college RST committee.

Section 4 Recommendations Concerning the Renewal of Academic Administrators

- a. When "renewal" means renewal of probationary faculty appointment, all recommendations concerning such shall originate with the department wherein each holds rank, and shall be based on academic achievement.

- b. When "renewal" means continuation of administrative appointment, such as provost or college dean, the University RST Policy Commission shall solicit faculty contributions and shall forward them to the chancellor for consideration.

Section 5 Procedure

Recommendations concerning the renewal of each probationary faculty member shall be sent by the department review body to the college RST committee and to the faculty member. The rules and procedures to be followed by the college RST committee are set forth in the Faculty Bylaws, Part II, Article V, Section 3. Recommendations of the college RST committee shall be forwarded to the Provost.

Section 6 Appeals

Any adverse decision concerning renewal may be reconsidered and/or appealed according to the following:

- a. If the adverse decision concerning renewal originates with the department review body, the aggrieved faculty member shall, at his or her request, be granted a reconsideration according to the provisions of the Faculty Bylaws, Part III, Article VIII, Section 2. If, after the reconsideration deliberations, the department review body reaffirms its adverse judgment, the aggrieved faculty member may then initiate the formal appeal procedure outlined in the Faculty Bylaws, Part III, Article VIII, Section 3.
- b. If an adverse recommendation concerning renewal originates with the college RST committee the aggrieved faculty member shall, at his or her request, be granted all the rights of reconsideration and appeal set forth in the Faculty Bylaws, Part III, Article VIII.

Part III: Personnel Rules and Procedures

Article VI Recommendations Concerning Tenure

Section 1 Determination of Discipline as the Functional Equivalent of Department

For the purpose of granting tenure, the functional equivalent of the department shall be the academic discipline to which the probationary faculty member has been appointed to teach. If the department includes more than one academic discipline, the Chancellor shall consult with the department and/or its constituent academic disciplines to determine which discipline is appropriate for the purpose of making tenure recommendations.

Section 2 Before Completion of the Maximum Period

- a. The granting of tenure before completion of the maximum probationary period (that is, less than seven years, including any years granted toward tenure) may be recommended by a

department only on the affirmative vote of at least four-fifths of the tenured members of the discipline as specified in Section 1. In disciplines with fewer than three tenured members, the granting of such tenure may be recommended only by a vote of at least four-fifths of the tenured members of the discipline and tenured members of the department review body. In the event that there are fewer than three tenured members in the probationary faculty member's discipline (as specified in Section 1) and the department review body, the granting of such tenure may be recommended only by a vote of at least four-fifths of the tenured members of the department.

- b. Abstention votes shall be counted in determining a quorum. Abstention votes and absences shall not be counted in determining a recommendation on tenure. All votes must be recorded.

Section 3 At the Completion of the Maximum Period

- a. The granting of tenure to begin after the maximum probationary period may be recommended by a simple majority of the tenured members of the discipline as defined in Section 1. In disciplines with fewer than three tenured members, the granting of such tenure may be recommended by a simple majority of the tenured members of the discipline and the tenured members of the department review body. In the event that there are fewer than three tenured members in the probationary faculty member's discipline (as specified in Section 1) and the department review body, the granting of such tenure may be recommended by a simple majority of the tenured members of the department. Because of the notice periods required in UWS 3.09, all such recommendations must be made by the end of the sixth year of employment.
- b. Abstention votes shall be counted in determining a quorum. Abstention votes and absences shall not be counted in determining a recommendation on tenure. All votes must be recorded.

Section 4 Procedure

Recommendations concerning the granting of tenure to any faculty member shall be sent by the department (or the department review body) to the college RST committee and to the faculty member. The rules and procedures to be followed by the college RST committee are set forth in the Faculty Bylaws, Part II, Article V, Section 3.

Recommendations of the college RST committees shall be forwarded to the Provost.

Section 5 Granting of Tenure to Department Chairs, Deans and Other Administrative Faculty

All recommendations concerning the granting of tenure to department chairs, deans, and other administrative faculty shall originate with the department wherein the faculty rank is held and shall be based on academic achievement.

Section 6 Appeals

Any adverse decision may be reconsidered and/or appealed according to the following:

- a. If the adverse decision concerning tenure originates with the tenured members of the department or its functional equivalent, the aggrieved faculty member shall, at his or her request, be granted a reconsideration according to the provisions of the Faculty Bylaws, Part III, Article VIII, Section 2. If, after the reconsideration deliberations, the tenured members of the department or its functional equivalent [sic] reaffirm their adverse judgment, the aggrieved faculty member may then initiate the formal appeal procedure outlined in the Faculty Bylaws, Part III, Article VIII.
- b. If an adverse recommendation concerning tenure originates with the college RST committee, the aggrieved faculty member shall, at his or her request, be granted all the rights of reconsideration and appeal set forth in the Faculty Bylaws Part III, Article VIII. If a decision or recommendation is made not to grant tenure before the completion of the maximum probationary period, the decision or recommendation shall, at the faculty member's request, be reconsidered, but that faculty member shall not be granted the formal appeal privileges set forth in the aforementioned article.

Part III: Personnel Rules and Procedures

Article VIII Reconsideration and Appeal

Section 1 Rights of Faculty Aggrieved by an Adverse Decision Concerning Rank, Salary, or Tenure before the Completion of the Maximum Probationary Period

- [a. rank and salary]
- b. A faculty member aggrieved by an adverse decision concerning tenure before the completion of the maximum probationary period shall be entitled upon his or her request to a reconsideration by the review body (tenured members of the department or its functional equivalent, or college RST Committee) making the initial adverse decision. The reconsideration shall be scheduled at the earliest practicable time. Such a faculty member shall also be entitled (a) to a postponement of any review action scheduled at a higher level until the reconsideration at the lower level has taken place, and (b) to prompt notice of the results of any reconsideration. A faculty member aggrieved by an adverse decision concerning tenure before the completion of the maximum probationary period is not entitled to the formal appeals procedure of the Appeals Commission outlined in Section 3 of this article. The Chancellor is the court of last appeal.

Section 2 Rights of Non-Renewed Probationary Faculty, Faculty Denied Tenure at the Completion of the Maximum Probationary Period, and Faculty Terminated Because of Fiscal Emergency

If at any level of review, a decision is made not to renew a probationary faculty member's contract, or to deny tenure at the completion of the maximum probationary period, or to terminate a faculty member because of fiscal emergency, that faculty member is entitled to:

- a. a notification of the adverse decision and applicable rules and procedures as soon as is practicable,
- b. written reason(s) for non-renewal or denial, provided the faculty member submits a written request for such notice within five calendar days of receiving the notification of the adverse decision (written reasons for non-renewal or denial shall become part of the faculty member's personnel file),
- c. a reconsideration by the review body (or the tenured members of the department or its functional equivalent) initiating the adverse decision provided the request for reconsideration is submitted in writing within twenty calendar days of receipt of the reason(s) for non-renewal or denial, and
- d. a postponement of any review action by a higher review body until such reconsideration has been undertaken by the lower review body.

Written notice of a non-renewal decision at either level of review constitutes proper notice of non-renewal as specified in UWS 3.07. If the affected faculty member requests a reconsideration in writing, he or she is further entitled to a ten-calendar-day advance notice of the reconsideration; an opportunity to respond to the written reason(s) for non-renewal or denial of tenure, and to present any written or oral evidence or arguments relevant to the decision; and to receive a written notification of the results of the reconsideration within five calendar days of the decision.

It is to be understood that the purpose of the reconsideration shall be to provide an opportunity for a fair and full re-examination of all the relevant factors and circumstances, so that every reasonable effort shall have been made to assure that the decision was a sound one. Reconsideration is not a hearing or an appeal, and shall be non-adversarial in nature.

If reconsideration results in a review body (or the tenured members of the department or its functional equivalent) reaffirming its adverse decision, the aggrieved faculty member may then initiate the formal appeal procedure set forth in Section 3 of this Article. If a reconsideration results in a college RST committee reaffirming its adverse recommendation, the aggrieved faculty member may then initiate the formal appeals procedure outlined in Section 3 of this article.

Section 3 Formal Appeal Procedures

After the reconsideration procedures outlined in Section 2 of this article have been followed, a faculty member still aggrieved may initiate a formal appeal procedure. The aggrieved faculty member may then submit a written notice of intent to appeal to the Appeals Commission (cf., the Faculty Bylaws Part II, Article III, Section 6), provided that he or she does so within twenty calendar days of the notice of the last adverse action (25 calendar days if notice is by first class

mail or publication). The aggrieved faculty member is advised to prepare documentation in support of the appeal as soon as he or she notifies the Appeals Commission of his or her intent to appeal. The faculty member is also advised to submit all documentation to the chair of the panel of the Appeals Commission prior to the hearing. The burden of proof in such an appeal shall be on the faculty member. The Appeals Commission hearing shall not be held later than twenty calendar days after the faculty member's request for such a hearing, except that this time limit may be extended by mutual consent of the parties, or by order of the Appeals Commission. The faculty member shall be given a ten-calendar-day notice of the time of the hearing.

The scope of the review shall be limited to the question of whether the decision was based in any significant degree upon one or more of the following factors, with material prejudice to the individual:

- a. conduct, expressions, or beliefs which are constitutionally protected or protected by the principles of academic freedom,
- b. factors, proscribed by applicable state or federal law, regarding fair employment practices, or
- c. improper consideration of qualifications for reappointment or renewal. For purposes of this section, Aimproper [sic] consideration shall be deemed to have been given to the qualifications of a faculty member in question if material prejudice resulted because of any of the following:
 - i. the procedures required by the Faculty Bylaws or the Board of Regents were not followed,
 - ii. available data bearing materially on the quality of performance were not considered,
 - iii. unfounded, arbitrary, or irrelevant assumptions of fact were made about work or conduct.

If the Appeals Commission finds that the recommendation to deny tenure made by the tenured members of the deparment [sic] or its functional equivalent was affected by impermissible factors as outlined in UWS 3.08, the aggrieved faculty member may then request the appointment of a committee to review the faculty member's record with reference to criteria for tenure as provided in '36(13) Wisconsin Statutes. Such a request will be made to the chair of the Faculty Senate.

The executive committee of the Faculty Senate, or a committee appointed by the Faculty Senate, shall establish a five member committee which shall have at least three faculty members from UW-Platteville. This committee may also have members appointed from outside the institution.

No person may be appointed to this committee unless the person is knowledgeable or experienced in the individual's academic field or in a substantially similar academic field. No member of this committee may be a member of the academic department, or its functional

equivalent, that has made the negative recommendation. The committee appointed under this subdivision may not base its tenure recommendation upon impermissible factors, as defined by the Board of Regents rule.

The executive committee shall appoint a chair of the committee. The chair must be a member of the UW-Platteville faculty. This committee shall review the aggrieved faculty member's record and make a recommendation to either grant the faculty member tenure or to not grant the faculty member tenure. The committee shall forward its recommendation to the Chancellor.

The Appeals Commission reporting procedures shall be followed as set forth in the Faculty Bylaws, Part III, Article II, Section 6.

Part III: Personnel Rules and Procedures

Article IX Complaints and Grievances

The general meanings of the words Acomplaint [sic] and Agrievance [sic] are set forth in the Faculty Bylaws, Part II, Article III, Section 7. The Complaints and Grievances Commission and the Chancellor shall insure that pertinent rules and procedures are followed including those identified in UWS 6.01 and 6.02.

Section 1 Complaints

The following procedure shall be followed:

- a. The complainant shall state his or her complaint in writing to the Chancellor, who shall review the complaint and take administrative action. The Chancellor's administrative action may be to dismiss the complaint, invoke appropriate disciplinary action, or refer the complaint to the Complaints and Grievances Commission. A hearing by the Commission shall take place at the request of the Chancellor or, if the Chancellor invokes a disciplinary action, at the request of the faculty member involved.
- b. The Chancellor and the Commission shall ensure that the faculty member involved receives:
 - i. a written statement of the complaint,
 - ii. at least ten calendar days to prepare an appropriate response,
 - iii. a written statement of the Commission's findings within five calendar days of its decision, and
 - iv. a prohibition of further jeopardy for the same incident of alleged misconduct after a final decision.

The Chancellor shall also ensure that the appropriate university officials are apprised of the commission's findings and the Chancellor's decision. The Chancellor's decision on the recommendations of the commission, or on the complaint in the absence of a commission recommendation, shall be final, except that the Board of Regents at its option may grant a review on the record. All parties are due as prompt a resolution of the matter as is practicable.

Section 2 Grievances

The following procedure shall be followed:

A faculty member with a grievance may submit his or her grievance to the Complaints and Grievances Commission. The aggrieved faculty member is entitled to a hearing before the commission within twenty calendar days of the written submission of the grievance to the commission chair. The colleague or colleagues against whom the grievance is lodged are entitled to at least a ten-calendar-day notice of all hearings related to the case. All parties are due as prompt a resolution of the matter as practicable.

Section 3 Reporting Procedures

Reporting procedures are outlined in the Faculty Bylaws, Part II, Article III, Section 7.

Part III: Personnel Rules and Procedures

Article X Dismissals

All procedures for dismissal for cause are set forth in UWS 4. The Astanding [sic] committee charged with hearing dismissal cases mandated in UWS 4. shall be the Appeals Commission (see the Faculty Bylaws, Part II, Article III, Section 6). In a dismissal case, if the Chancellor is advised that a faculty member should be suspended from his or her duties, pending the outcome of the case, he or she shall consult the Executive Committee of the Faculty Senate before taking such action.

Part III: Personnel Rules and Procedures

Article XI Faculty Terminated Because of Fiscal Emergency

The procedures for all faculty who are terminated because of fiscal emergency are set forth in UWS 5. The hearing committees mandated in UWS 5.11 shall be the Appeals Commission (see the Faculty Bylaws, Part II, Article III, Section 6). Seniority in matters of termination shall be by rank, and within rank, according to the total years of service to the local university.

UW-Platteville Faculty Bylaws—Copy of Revisions to Relevant Sections Reported under Wisconsin Administrative Code 2.02

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Part II: Governance Structure

Article III Councils and Commissions

Section 5 University Rank, Salary, and Tenure (URST) Policy Commission

a. Responsibilities

- i. Evaluates and coordinates the policies of the college RST committees **of the department salary and promotion committees, the renewal and tenure review bodies, the college compensation committees, and the university promotion committee** in a manner consistent with Faculty Senate and Board of Regents policies and procedures.
- ii. Develops and recommends for Faculty Senate adoption overall RST policies.
- iii. Consults with the Academic Planning Council in areas where academic and budgetary priorities and policies relate to questions of rank, salary, and tenure.
- iv. Sets the general policy guidelines and procedural standards (in addition to, and in conformity with, the RST procedures set forth in the ~~local Personnel Rules and Procedures~~ ~~Bylaws [sic], Part III Faculty Handbook~~) that will serve to guide the college RST committees **department salary and promotion committees, the renewal and tenure review bodies, the college compensation committees, and the university promotion committee** in their work, and assures that the **appropriate department, college, and university** committees are informed about them and carry them out.
- v. Establishes the procedures according to which the resources for merit awards and inequity adjustments shall be made available to the college **RST compensation** committees, and monitors the standards and guidelines by which the college **RST-compensation** committees shall make those awards and adjustments.
- vi. Recommends to the Faculty Senate the procedures for determining salaries.
- vii. Submits an annual report to the Faculty Senate that summarizes the college compensation committee reports concerning merit, inequities, and compression.**
- ~~vii-viii.~~ Conducts the faculty evaluations of the deans, provost, and chancellor.
- ix. Summarizes the evaluations and provides a copy of the summary to the administrator.
- ~~viii-x.~~ Consults with the Provost and the Equal Employment Opportunity Officer when necessary.

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b. Membership

- Faculty Representatives: Three faculty members from each college, with no more than one from any department. One ~~member of the three representatives from each college~~ is appointed by and from each ~~CRSTC college compensation committee~~ annually. The other members from each college must be tenured and are elected in an all-faculty election for two-year staggered terms. No member shall serve more than ~~for four~~ consecutive years. ~~No academic dean is eligible to serve.~~
- Ex-Officio: Provost **and college deans** (non-voting)

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Part II: Governance Structure

Article III Councils and Commissions

Section 6 Appeals Commission

For the purposes of this section, the Library faculty shall be considered a department.

a. Responsibilities

- i. Hears any faculty member's appeal of a decision not to renew a probationary member's appointment, or to deny tenure at the completion of the maximum probationary period, made by ~~a department review body~~, the tenured members of a department or its functional equivalent, ~~or a college RST committee~~, according to the appeal procedure set forth in the ~~Faculty Bylaws, Part III, Article VIII, Section 3.~~ **Faculty Handbook.**
- ii. Acts as an appeal body on the request of any faculty member against whom the Chancellor has filed charges that may lead to dismissal. In such circumstances, the commission shall act as a hearing agent for the Board of Regents pursuant to Section 227.12 Wis. Stat., and in accordance with all procedures set forth in UWS 4.
- iii. Acts as an appeal body on the request of any faculty laid off because of fiscal emergency, in accordance with all the procedures set forth in UWS 5.

b. Membership

- i. There shall be nine members on the commission appointed by the Faculty Senate upon recommendation of the Appointments and Elections Committee except that:
 1. there shall be no more than one member from any one department,
 - ~~2. there shall be no member currently serving on any CRST committee,~~
 - ~~3.~~ 2. each member shall be appointed to a three year term and a member may serve two consecutive terms, and
 - ~~4.~~ 3. all members shall be tenured.

ii. The Faculty Senate shall maintain a list of alternates to serve as members of the Appeals Commission under the conditions specified in b, iii, 2 below. These alternates shall serve three year terms and may serve consecutive terms unless they become active members of the commission. In this case they may not serve more than two consecutive terms as members or alternates.

iii. A panel of five members shall be selected by the Commission to hear a particular case according to the following:

1. No member of the appealing member's department ~~or DRB or its functional equivalent~~ may serve on the appeal panel for that faculty member.
2. In the case of an appeal of a non-renewal, the appealing faculty member shall have the option of disqualifying one member of the commission from serving on that faculty member's review panel; the review body that initiated the adverse decision shall also have the option of disqualifying one member; and commission members may disqualify themselves.

In the case of an appeal of a denial of tenure at the completion of the maximum probationary period, the appealing faculty member shall have the option of disqualifying one member of the commission from serving on that faculty member's review panel; the tenured members of the department or its functional equivalent shall also have the option of disqualifying one member; and commission members may disqualify themselves.

If fewer than five members remain on the review panel, the Executive Committee of the Faculty Senate shall appoint an alternate or alternates (sufficient in number to make a panel of five) from the list of alternates to be maintained according to b, ii, above.

3. In the event that not enough regular members or alternates are able to serve, the Executive Committee of the Faculty Senate shall prepare a list of alternates to be approved by the Faculty Senate.

| iv. The Appeals Commission shall select its own Chair, and when constituted, each panel shall select its own Chair.

c. Reporting Procedures

- i. When acting on an appeal of a non renewal or denial of tenure at the completion of the maximum probationary period decision, its report may include remedies which can, without limitation because of enumeration, take the form of a reconsideration by the decision maker under instructions from the panel, or a recommendation to the next higher reviewing level. The panel shall remand all cases for reconsideration by the decision maker, unless it specifically finds that such a remand would serve no useful purpose. The panel shall retain jurisdiction during the pendency of any reconsideration. If an adverse

decision has been made by the department or ~~the college RST committee~~ **its functional equivalent**, and the appeals panel believes an error has been made, it shall abide by the provisions in ~~Part III, Article VIII.~~ **the Faculty Handbook.**

- ii. When acting on a dismissal case, the panel shall act in accordance with the provisions of UWS 4.07.
- iii. When acting on a layoff case, the panel shall act in accordance with all the provisions of UWS 5.14.

Part II: Governance Structure

Article V Ancillary College-Level Structures

Section 3 College Rank, Salary, and Tenure Compensation Committees

a. Duties

- i. Review and act upon the appropriate ~~DRB's~~ **department salary and promotion committee's** evaluations and recommendations concerning **merit, inequity, and/or compression** ~~each faculty member~~. Each college **RST compensation** committee will require supporting information from the ~~DRB department salary and promotion committee~~, and if the department chair's evaluation and/or recommendation differs from those of the ~~DRB department salary and promotion committee~~, it will consider both. In making its own judgments, the college **RST compensation** committee will take into account the same criteria and standards incumbent upon the ~~DRB department salary and promotion committee~~ (identified below in Article VI, Section 4, a).

~~If the college RST committee agrees with the DRB's recommendation having to do with rank, it shall forward the recommendation to the Provost. If the college RST committee disagrees with the DRB, it shall consult with the DRB with a view to reaching an accord, and if that effort fails, forward to the Provost its own recommendation, the DRB's recommendation and the department chair's separate [sic] recommendation.~~

~~Review and act upon tenure recommendations by the tenured members of the department or its functional equivalent. If the college RST committee agrees with the recommendation, it shall forward the recommendation to the Provost. If the college RST committee disagrees with the recommendation of the tenured members, in the case of a tenure decision made before the completion of the maximum probationary period, the college RST committee will follow the procedures set forth in Part III, Article VIII, Section 1 of the Bylaws.~~

~~If the college RST committee disagrees with the recommendation of the tenured members in the case of a tenure decision made at the completion of the maximum probationary period, the college RST committee will follow the procedure set forth in Part III, Article VIII, Section 2 of the Bylaws~~

- ii. May initiate the consideration of any faculty member under its jurisdiction for a merit award or inequity adjustment, but the college **RST compensation** committee may not make a merit award or inequity adjustment without the concurrence of the ~~DRB~~ **department salary and promotion committee**.
- iii. Shall notify each faculty member in writing as soon as is practicable of all college **RST compensation** committee judgments concerning that member ~~and shall abide by the more detailed rules and procedures for notification in matters having to do with non-renewal, denial of tenure, and termination as set forth in Faculty Bylaws Part III, Article VIII, Section 2.~~
- iv. Shall notify the department ~~review body~~ **salary and promotion committee** when it (the college **RST compensation** committee) makes a judgment and/or recommendation contrary to one made by the ~~DRB department salary and promotion committee~~.
- ~~v. Shall reconsider any of its judgments and recommendations as is required if a faculty member invokes the privileges outlined in the Faculty Bylaws, Part III, Article VIII, Sections 1-3.~~
- v. Shall forward its recommendations concerning merit, inequity, and compression to the chancellor.**
- vi. Shall forward an annual report to the University Rank, Salary, and Tenure Policy Commission that summarizes merit, inequities, and compression for the entire college.**

b. Membership and Chair

- ~~i. Each college **RST compensation** committee shall consist of members in that college and shall consist of at least five tenured faculty members. No more than two members may be from the same department and no more than one member from the same discipline. Each member shall be elected by the whole college faculty. Department chairs, school directors, members of the department or school ~~review bodies~~ **salary and promotion committees**, ~~members of the Appeals Commission~~, and probationary faculty on a terminal contract are not eligible to serve.~~

Each college **RST compensation** committee shall elect yearly a chair from its membership. The college dean or the assistant/associate dean (non-voting) is eligible to serve in this capacity. ~~The college dean must send forward his/her own letters concerning probationary faculty and may send forward his/her own recommendations concerning tenured faculty and other matters deliberated upon by the committee.~~ Each college **RST compensation** committee shall select yearly from its membership, a member to serve on the University Rank, Salary and Tenure Policy Commission.

c. Voting Eligibility

- i. No college **RST compensation** committee member may vote on his or her own evaluation or recommendation. ~~No non-tenured member may vote on any recommendation concerning tenure.~~

Part II: Governance Structure

Article V Ancillary College-Level Structures

Section 4 Library RST Committee

a. Duties

~~The Library RST Committee shall be created by those faculty whose services are assigned primarily to the library. The committee shall serve as the functional equivalent of a departmental review body with regard to evaluation of library faculty, and as the functional equivalent of a college RST committee with regard to the University RST Policy Commission.~~

b. Membership and Chair

~~The Library RST Committee shall consist of the Library Director (non-voting) and no fewer than two other faculty members elected by the library faculty.~~

Part II: Governance Structure

Article VI Department Review Bodies

~~For the purpose of faculty review, references to departments, and/or department review bodies (DRBs) are intended to include schools, and/or school review bodies (SRBs). The director of a school is intended to be equivalent to a department chair.~~

Section 1 Establishment of Criteria for Evaluation

~~Each department shall establish criteria to serve as the basis of faculty evaluation of teaching. The department shall also develop criteria for the evaluation of research, professional and public service, and contribution to the university, consistent with the current URSTPC guidelines approved by the Faculty Senate.~~

Section 2 Establishment of Department Review Bodies

~~Each department shall make provision for a department review body in accordance with one of the following two procedures listed below:~~

- a. ~~On the initiative of the department faculty:~~

- i. ~~The department may constitute itself, or some members thereof, as a department review body, providing that the review body shall include at least three tenured faculty members other than the department chair. The department chair must send forward his/her own recommendations concerning matters deliberated by the DRB. Departments that do not have three tenured members shall select an additional member (or additional members) for the review body from other departments within the college; such additional members must be approved by the faculty in the department; or~~
- ii. ~~Several departments, by majority vote of each, may choose to combine for renewal, rank and salary purposes; the combined departments shall then make provision for a department review body for the faculty in the combined departments; such a review body shall have at least three tenured members other than a department chair. The department chair must send forward his/her own recommendations concerning matters deliberated by the DRB.~~

b. Chair

- i. ~~A department review body shall elect yearly a chair from its membership. Department chairs not are [sic] eligible to serve in this capacity.~~

- e. ~~No probationary faculty member on a terminal contract may serve on a departmental review body.~~

~~Section 3 – Voting Eligibility~~

~~No department review body member may vote on any evaluation or recommendation concerning him or herself. Any department chair serving on the DRB for his/her department shall serve as a nonvoting member.~~

~~Section 4 – Duties of Department Review Bodies~~

~~The department review bodies shall:~~

- ~~a. Make periodic evaluation of all faculty under its jurisdiction, based on appropriate peer and student evaluation of professional performance. Such evaluations are to be elicited according to a plan adopted by the department;~~
 - ~~• in the light of evaluation criteria established according to the provisions of section 1 of this article;~~
 - ~~• in the light of Affirmative Action standards and Equal Employment Opportunity policies;~~
 - ~~• in the light of standards listed in the second paragraph of the Faculty Bylaws, Part III, Article VIII, Section 3; and~~
 - ~~• according to general procedures set by the University RST Policy Commission.~~

- b. ~~Use the evaluations to make appropriate recommendations to the College RST Committee concerning individual rank, salary, merit award, inequity adjustment, or retention. The department review body shall also forward to the CRSTC the results of tenure votes made by the tenured membered [sic] of the department or its functional equivalent as described in Part III, Article VI, Section 1. Individual numerical data and rankings for peer and student evaluations shall not be sent forward to the CRSTs.~~
- c. ~~Share the DRB's recommendation in writing with the affected faculty member prior to the time it is forwarded to the next higher review body.~~
- d. ~~Make the evaluation of each faculty member available to that member in such a way that he or she might be encouraged and helped to improve his or her professional performance.~~
- e. ~~Reconsider any of its evaluations and recommendations as is required if a faculty member invokes the privileges outlined in the Faculty Bylaws, Part III, Article VIII, Sections 1-3.~~
- f. ~~Abide by the more detailed rules and procedures for notification in matters having to do with non renewal, denial of tenure, and termination as set forth in the Faculty Bylaws, Part III, Article VIII, Section 2.~~

~~Section 5—Authority of Representative Department Review Bodies~~

~~When a department review body is representative (that is, when a department or group of departments select some of its members to form a department review body instead of acting as a whole on renewal, rank, and salary matters), the decisions of the department review body may not be countermanded or altered in any way by that department (or departments). Faculty members who disagree with any decision or recommendation made by a department review body may make their views known, singly or collectively, to that department review body reconsidering an earlier action, or to a higher review body, or to the Appeals Commission hearing.~~

~~Part III: Personnel Rules and Procedures~~

~~Article III—Recruitment and Initial Appointment~~

~~The recruitment and initial appointment process shall be carried out according to the following rules and procedures.~~

~~Section 1—Eligibility~~

~~All department members shall be eligible to take part in the recruitment and initial appointment process described in this article, except:~~

- a. ~~the incumbent in the position to be filled if declared ineligible by vote of the department,~~
and
- b. ~~candidates for the position who are already department members.~~

If the vacancy is that of a department chair, the department shall elect one of its eligible members to act as department chair in all matters relating to recruitment and initial appointment.

~~Section 2—Position Description and Vacancy Announcements~~

By majority vote of the full department membership (defined in Section 1 above), a statement shall be adopted specifying:

- a. ~~the responsibilities to be assigned,~~
- b. ~~the corresponding competencies required in the person filling the vacancy, and~~
- c. ~~what type of contract is desired.~~

The vote may reaffirm a previous statement of such responsibilities and competencies.

The college dean and the department chair, in consultation with the Chancellor, the Vice Chancellor, and the department, will then determine whether the appointment will be a regular academic year (or twelve month) contract, or an academic staff contract.

~~After the type of contract has been determined, the department shall then invite appropriate faculty and appropriate students to recommend candidates, and the position shall be advertised widely in suitable media. That notice shall include a statement of the university's commitment to Affirmative Action and Equal Employment Opportunity recruitment policies, and a statement indicating whether the appointment is to be filled by someone holding a regular academic year (or twelve month) contract, or an academic staff contract.~~

The department will keep in mind that where layoffs have occurred because of fiscal emergency, no person may be employed at the institution within three years to perform reasonably comparable duties to those of a faculty member laid off, without first offering reappointment to the laid off faculty member without loss of tenure, seniority, or other rights.

~~Section 3—Department Search and Screen Committee~~

~~The evaluation of candidates and the final selection to be proposed to the Chancellor will now proceed under one of two sets of circumstances:~~

- a. ~~If the number of department members who may participate in the evaluation of candidates is reduced to fewer than three (3) because of:~~
 - i. ~~the size of the department, and/or~~

ii. ~~the limitation [sic] on department membership for the purposes of this article that are identified in Section 1 above, and/or~~

iii. ~~the physical unavailability of department members because of illness, being on vacation, or like cause, then the dean shall, after consultation with all the remaining department members, appoint additional faculty to the search and screen committee to make a committee of at least three (3). The additional faculty member(s) so appointed shall be members of a department or departments whose academic discipline is as nearly related as possible to the discipline of the department with the vacancy.~~

b. ~~If the number of department members who may participate in the evaluation of candidates is not reduced to fewer than three (3) because of any or all of the factors identified in a, then the department shall vote to constitute itself as a search and screen committee, or to designate certain members of the department to constitute such a committee, provided that in the latter case at least two are so designated.~~

~~By whichever means (a or b) that a search and screen committee is established, the college dean shall, at his or her discretion, serve with the committee as consultant. Faculty and students shall be invited to offer their evaluation of the candidates. If condition a prevails, the final selection shall be made by a majority vote of the three (or more) member committee on an affirmative motion. If condition b prevails, the final selection shall be made by a majority vote of the entire department on an affirmative motion.~~

~~Section 4—Dean's and Vice Chancellor's Action~~

~~The department's recommendation shall be forwarded to the dean for consideration. If the dean finds the department's recommendation acceptable, the dean will forward the recommendation to the Vice Chancellor. If the Vice Chancellor finds the dean's recommendation acceptable, the appointment procedure outlined in Section 5 below will commence.~~

~~If the dean does not find the department's choice acceptable, the dean shall ask the department chair to convene a meeting of all department members, and they shall discuss the matter together. If, after the consultation, the dean's adverse judgment remains unchanged, the department shall retrace whatever steps outlined in Sections 2 and 3 above are necessary, and offer another recommendation.~~

~~If the Vice Chancellor does not find the dean's recommendation acceptable, the dean and Vice Chancellor shall discuss the matter together. If the Vice Chancellor's adverse judgment remains unchanged, the department will retrace whatever steps outlined in Sections 2 and 3 above are necessary, and offer the dean another recommendation.~~

~~Section 5—Offering a Contract~~

~~When the Vice Chancellor accepts the dean's recommendation, the department chair and the dean, in consultation with the Vice Chancellor, shall negotiate the terms and conditions of the~~

appointment, including duration of the appointment, salary, rank, starting date, ending date, probation, tenure status, and any credit that shall be given to prior service, among other matters they may regard as appropriate. If the candidate offers a verbal acceptance of an appointment on these terms, the Vice Chancellor, as the Chancellor's designee, shall send to the candidate a letter of appointment including the terms as specified above, a copy of the department's profile of duties to be performed, and an explanation of institutional and system rules and procedures relating to faculty appointments, as well as a form for the appointee to sign indicating formal acceptance of the appointment. If the appointment is subject to advance approval of the Board of Regents, a statement to this effect must be included in the letter.

~~Section 6—Types of Appointment and Length of Probationary Period~~

~~Faculty appointments may be for the academic year or twelve months and shall be probationary or tenured.~~

~~The maximum probationary period shall be seven (7) years as provided in UWS 3.04. The maximum for a part time position of at least half time shall be ten (10) years. No one holding less than a half-time appointment is eligible for tenure. A leave of absence, sabbatical leave, or teacher improvement assignment shall not constitute a break in continuous service, nor shall it be included in the probationary period. Any shortening of the probationary period or counting of prior service must be based upon the recommendation of the department or its functional equivalent and approved by the Chancellor or his designee.~~

~~All initial academic staff appointments shall be of a type specified in Policies and Procedures Governing Academic Staff.~~

~~Part III: Personnel Rules and Procedures~~

~~Article IV—Recommendations Concerning Renewal of Probationary Appointments~~

~~Section 1—Notification of Review for Renewal~~

~~The department chair shall assure that each probationary faculty member is notified in writing of the date of his or her department review at least twenty calendar days prior to the date of that review. At the same time, the department review body shall invite other department members, and any other colleagues identified by the faculty member to be reviewed, to present information on his or her behalf. The department chair shall notify the department of impending reviews at higher levels as per URSTPC guidelines for that year.~~

~~Section 2—Recommendation Concerning Renewal~~

~~Department review bodies shall decide annually to renew or not renew the appointment of faculty members on probationary appointments. Beginning in the probationary faculty member's second year, if the faculty member is recommended by the department review body for reappointment, the tenured faculty of the discipline shall review the file annually to discuss the~~

person's prospects for tenure and prepare a written statement that will be placed in the individual's file. If the tenured faculty have any concerns regarding the probationary faculty member's prospects for tenure, they should be addressed in this written statement. A copy of this statement shall be given directly to the individual. In addition, in situations where the department's position allocation is reduced after the DRB has made an affirmative recommendation, the department shall have the opportunity to reconsider its earlier recommendation in light of the reduction. The decision to renew will be forwarded to the college RST committee for further consideration. The recommendation to renew a faculty member's probationary contract may contain a further recommendation that the renewal take the form of a terminal contract (provided that the contract period does not extend beyond the maximum probationary period). The decision not to renew will be made known to the affected faculty member in writing within twenty calendar days, and the faculty member shall be informed of the reconsideration [sic] and appeal procedures outlined in Faculty Bylaws, Part III, Article VIII, below.

Section 3—Recommendation Concerning Renewal of Department Chairs

When the department chair is a probationary faculty member, he or she will not submit a recommendation for renewal concerning him or herself. All the provisions of Sections 1 and 2 above will be followed, except that the college dean will also submit an evaluation and recommendation concerning the department chair to the college RST committee.

Section 4—Recommendations Concerning the Renewal of Academic Administrators

- a. When "renewal" means renewal of probationary faculty appointment, all recommendations concerning such shall originate with the department wherein each holds rank, and shall be based on academic achievement.
- b. When "renewal" means continuation of administrative appointment, such as provost or college dean, the University RST Policy Commission shall solicit faculty contributions and shall forward them to the chancellor for consideration.

Section 5—Procedure

Recommendations concerning the renewal of each probationary faculty member shall be sent by the department review body to the college RST committee and to the faculty member. The rules and procedures to be followed by the college RST committee are set forth in the Faculty Bylaws, Part II, Article V, Section 3. Recommendations of the college RST committee shall be forwarded to the Provost.

Section 6—Appeals

Any adverse decision concerning renewal may be reconsidered and/or appealed according to the following:

- a. ~~If the adverse decision concerning renewal originates with the department review body, the aggrieved faculty member shall, at his or her request, be granted a reconsideration according to the provisions of the Faculty Bylaws, Part III, Article VIII, Section 2. If, after the reconsideration deliberations, the department review body reaffirms its adverse judgment, the aggrieved faculty member may then initiate the formal appeal procedure outlined in the Faculty Bylaws, Part III, Article VIII, Section 3.~~
- b. ~~If an adverse recommendation concerning renewal originates with the college RST committee the aggrieved faculty member shall, at his or her request, be granted all the rights of reconsideration and appeal set forth in the Faculty Bylaws, Part III, Article VIII.~~

Part III: ~~Personnel Rules and Procedures~~

~~Article VI Recommendations Concerning Tenure~~

~~Section 1 – Determination of Discipline as the Functional Equivalent of Department~~

~~For the purpose of granting tenure, the functional equivalent of the department shall be the academic discipline to which the probationary faculty member has been appointed to teach. If the department includes more than one academic discipline, the Chancellor shall consult with the department and/or its constituent academic disciplines to determine which discipline is appropriate for the purpose of making tenure recommendations.~~

~~Section 2 – Before Completion of the Maximum Period~~

- a. ~~The granting of tenure before completion of the maximum probationary period (that is, less than seven years, including any years granted toward tenure) may be recommended by a department only on the affirmative vote of at least four fifths of the tenured members of the discipline as specified in Section 1. In disciplines with fewer than three tenured members, the granting of such tenure may be recommended only by a vote of at least four fifths of the tenured members of the discipline and tenured members of the department review body. In the event that there are fewer than three tenured members in the probationary faculty member's discipline (as specified in Section 1) and the department review body, the granting of such tenure may be recommended only by a vote of at least four fifths of the tenured members of the department.~~
- b. ~~Abstention votes shall be counted in determining a quorum. Abstention votes and absences shall not be counted in determining a recommendation on tenure. All votes must be recorded.~~

~~Section 3 – At the Completion of the Maximum Period~~

- a. ~~The granting of tenure to begin after the maximum probationary period may be recommended by a simple majority of the tenured members of the discipline as defined in~~

~~Section 1. In disciplines with fewer than three tenured members, the granting of such tenure may be recommended by a simple majority of the tenured members of the discipline and the tenured members of the department review body. In the event that there are fewer than three tenured members in the probationary faculty member's discipline (as specified in Section 1) and the department review body, the granting of such tenure may be recommended by a simple majority of the tenured members of the department. Because of the notice periods required in UWS 3.09, all such recommendations must be made by the end of the sixth year of employment.~~

- ~~b. Abstention votes shall be counted in determining a quorum. Abstention votes and absences shall not be counted in determining a recommendation on tenure. All votes must be recorded.~~

~~Section 4—Procedure~~

~~Recommendations concerning the granting of tenure to any faculty member shall be sent by the department (or the department review body) to the college RST committee and to the faculty member. The rules and procedures to be followed by the college RST committee are set forth in the Faculty Bylaws, Part II, Article V, Section 3.~~

~~Recommendations of the college RST committees shall be forwarded to the Provost.~~

~~Section 5—Granting of Tenure to Department Chairs, Deans and Other Administrative Faculty~~

~~All recommendations concerning the granting of tenure to department chairs, deans, and other administrative faculty shall originate with the department wherein the faculty rank is held and shall be based on academic achievement.~~

~~Section 6—Appeals~~

~~Any adverse decision may be reconsidered and/or appealed according to the following:~~

- ~~a. If the adverse decision concerning tenure originates with the tenured members of the department or its functional equivalent, the aggrieved faculty member shall, at his or her request, be granted a reconsideration according to the provisions of the Faculty Bylaws, Part III, Article VIII, Section 2. If, after the reconsideration deliberations, the tenured members of the department or its functional equivalent [sic] reaffirm their adverse judgment, the aggrieved faculty member may then initiate the formal appeal procedure outlined in the Faculty Bylaws, Part III, Article VIII.~~
- ~~b. If an adverse recommendation concerning tenure originates with the college RST committee, the aggrieved faculty member shall, at his or her request, be granted all the rights of reconsideration and appeal set forth in the Faculty Bylaws Part III, Article VIII. If a decision or recommendation is made not to grant tenure before the completion of the maximum probationary period, the decision or recommendation shall, at the faculty~~

member's request, be reconsidered, but that faculty member shall not be granted the formal appeal privileges set forth in the aforementioned article.

Part III: Personnel Rules and Procedures

Article VIII—Reconsideration and Appeal

Section 1—Rights of Faculty Aggrieved by an Adverse Decision Concerning Rank, Salary, or Tenure before the Completion of the Maximum Probationary Period

~~{a. rank and salary}~~

~~b. A faculty member aggrieved by an adverse decision concerning tenure before the completion of the maximum probationary period shall be entitled upon his or her request to a reconsideration by the review body (tenured members of the department or its functional equivalent, or college RST Committee) making the initial adverse decision. The reconsideration shall be scheduled at the earliest practicable time. Such a faculty member shall also be entitled (a) to a postponement of any review action scheduled at a higher level until the reconsideration at the lower level has taken place, and (b) to prompt notice of the results of any reconsideration. A faculty member aggrieved by an adverse decision concerning tenure before the completion of the maximum probationary period is not entitled to the formal appeals procedure of the Appeals Commission outlined in Section 3 of this article. The Chancellor is the court of last appeal.~~

Section 2—Rights of Non-Renewed Probationary Faculty, Faculty Denied Tenure at the Completion of the Maximum Probationary Period, and Faculty Terminated Because of Fiscal Emergency

~~If at any level of review, a decision is made not to renew a probationary faculty member's contract, or to deny tenure at the completion of the maximum probationary period, or to terminate a faculty member because of fiscal emergency, that faculty member is entitled to:~~

- ~~a. a notification of the adverse decision and applicable rules and procedures as soon as is practicable;~~
- ~~b. written reason(s) for non-renewal or denial, provided the faculty member submits a written request for such notice within five calendar days of receiving the notification of the adverse decision (written reasons for non-renewal or denial shall become part of the faculty member's personnel file);~~
- ~~c. a reconsideration by the review body (or the tenured members of the department or its functional equivalent) initiating the adverse decision provided the request for reconsideration is submitted in writing within twenty calendar days of receipt of the reason(s) for non-renewal or denial, and~~

- d. ~~a postponement of any review action by a higher review body until such reconsideration has been undertaken by the lower review body.~~

~~Written notice of a non-renewal decision at either level of review constitutes proper notice of non-renewal as specified in UWS 3.07. If the affected faculty member requests a reconsideration in writing, he or she is further entitled to a ten-calendar day advance notice of the reconsideration; an opportunity to respond to the written reason(s) for non-renewal or denial of tenure, and to present any written or oral evidence or arguments relevant to the decision; and to receive a written notification of the results of the reconsideration within five calendar days of the decision.~~

~~It is to be understood that the purpose of the reconsideration shall be to provide an opportunity for a fair and full re-examination of all the relevant factors and circumstances, so that every reasonable effort shall have been made to assure that the decision was a sound one. Reconsideration is not a hearing or an appeal, and shall be non-adversarial in nature.~~

~~If reconsideration results in a review body (or the tenured members of the department or its functional equivalent) reaffirming its adverse decision, the aggrieved faculty member may then initiate the formal appeal procedure set forth in Section 3 of this Article. If a reconsideration results in a college RST committee reaffirming its adverse recommendation, the aggrieved faculty member may then initiate the formal appeals procedure outlined in Section 3 of this article.~~

Section 3 – Formal Appeal Procedures

~~After the reconsideration procedures outlined in Section 2 of this article have been followed, a faculty member still aggrieved may initiate a formal appeal procedure. The aggrieved faculty member may then submit a written notice of intent to appeal to the Appeals Commission (cf., the Faculty Bylaws Part II, Article III, Section 6), provided that he or she does so within twenty calendar days of the notice of the last adverse action (25 calendar days if notice is by first class mail or publication). The aggrieved faculty member is advised to prepare documentation in support of the appeal as soon as he or she notifies the Appeals Commission of his or her intent to appeal. The faculty member is also advised to submit all documentation to the chair of the panel of the Appeals Commission prior to the hearing. The burden of proof in such an appeal shall be on the faculty member. The Appeals Commission hearing shall not be held later than twenty calendar days after the faculty member's request for such a hearing, except that this time limit may be extended by mutual consent of the parties, or by order of the Appeals Commission. The faculty member shall be given a ten-calendar day notice of the time of the hearing.~~

~~The scope of the review shall be limited to the question of whether the decision was based in any significant degree upon one or more of the following factors, with material prejudice to the individual:~~

- a. ~~conduct, expressions, or beliefs which are constitutionally protected or protected by the principles of academic freedom;~~

- b. ~~factors, proscribed by applicable state or federal law, regarding fair employment practices,~~
~~or~~
- c. ~~improper consideration of qualifications for reappointment or renewal. For purposes of this section, Improper [sic] consideration shall be deemed to have been given to the qualifications of a faculty member in question if material prejudice resulted because of any of the following:~~
 - i. ~~the procedures required by the Faculty Bylaws or the Board of Regents were not followed;~~
 - ii. ~~available data bearing materially on the quality of performance were not considered;~~
 - iii. ~~unfounded, arbitrary, or irrelevant assumptions of fact were made about work or conduct.~~

~~If the Appeals Commission finds that the recommendation to deny tenure made by the tenured members of the department [sic] or its functional equivalent was affected by impermissible factors as outlined in UWS 3.08, the aggrieved faculty member may then request the appointment of a committee to review the faculty member's record with reference to criteria for tenure as provided in '36(13) Wisconsin Statutes. Such a request will be made to the chair of the Faculty Senate.~~

~~The executive committee of the Faculty Senate, or a committee appointed by the Faculty Senate, shall establish a five member committee which shall have at least three faculty members from UW Platteville. This committee may also have members appointed from outside the institution.~~

~~No person may be appointed to this committee unless the person is knowledgeable or experienced in the individual's academic field or in a substantially similar academic field. No member of this committee may be a member of the academic department, or its functional equivalent, that has made the negative recommendation. The committee appointed under this subdivision may not base its tenure recommendation upon impermissible factors, as defined by the Board of Regents rule.~~

~~The executive committee shall appoint a chair of the committee. The chair must be a member of the UW Platteville faculty. This committee shall review the aggrieved faculty member's record and make a recommendation to either grant the faculty member tenure or to not grant the faculty member tenure. The committee shall forward its recommendation to the Chancellor.~~

~~The Appeals Commission reporting procedures shall be followed as set forth in the Faculty Bylaws, Part III, Article II, Section 6.~~

Part III: Personnel Rules and Procedures

Article IX: Complaints and Grievances

The general meanings of the words Acomplaint [sic] and Agrievance [sic] are set forth in the Faculty Bylaws, Part II, Article III, Section 7. The Complaints and Grievances Commission and the Chancellor shall insure that pertinent rules and procedures are followed including those identified in UWS 6.01 and 6.02.

Section 1—Complaints

The following procedure shall be followed:

- a. The complainant shall state his or her complaint in writing to the Chancellor, who shall review the complaint and take administrative action. The Chancellor's administrative action may be to dismiss the complaint, invoke appropriate disciplinary action, or refer the complaint to the Complaints and Grievances Commission. A hearing by the Commission shall take place at the request of the Chancellor or, if the Chancellor invokes a disciplinary action, at the request of the faculty member involved.
- b. The Chancellor and the Commission shall ensure that the faculty member involved receives:
 - i. a written statement of the complaint,
 - ii. at least ten calendar days to prepare an appropriate response,
 - iii. a written statement of the Commission's findings within five calendar days of its decision, and
 - iv. a prohibition of further jeopardy for the same incident of alleged misconduct after a final decision.

The Chancellor shall also ensure that the appropriate university officials are apprised of the commission's findings and the Chancellor's decision. The Chancellor's decision on the recommendations of the commission, or on the complaint in the absence of a commission recommendation, shall be final, except that the Board of Regents at its option may grant a review on the record. All parties are due as prompt a resolution of the matter as is practicable.

Section 2—Grievances

The following procedure shall be followed:

A faculty member with a grievance may submit his or her grievance to the Complaints and Grievances Commission. The aggrieved faculty member is entitled to a hearing before the commission within twenty calendar days of the written submission of the grievance to the commission chair. The colleague or colleagues against whom the grievance is lodged are entitled

to at least a ten-calendar-day notice of all hearings related to the case. All parties are due as prompt a resolution of the matter as practicable.

Section 3—Reporting Procedures

Reporting procedures are outlined in the Faculty Bylaws, Part II, Article III, Section 7.

Part III: Personnel Rules and Procedures

Article X—Dismissals

All procedures for dismissal for cause are set forth in UWS 4. The Astanding [sic] committee charged with hearing dismissal cases mandated in UWS 4, shall be the Appeals Commission (see the Faculty Bylaws, Part II, Article III, Section 6). In a dismissal case, if the Chancellor is advised that a faculty member should be suspended from his or her duties, pending the outcome of the case, he or she shall consult the Executive Committee of the Faculty Senate before taking such action.

Part III: Personnel Rules and Procedures

Article XI—Faculty Terminated Because of Fiscal Emergency

The procedures for all faculty who are terminated because of fiscal emergency are set forth in UWS 5. The hearing committees mandated in UWS 5.11 shall be the Appeals Commission (see the Faculty Bylaws, Part II, Article III, Section 6). Seniority in matters of termination shall be by rank, and within rank, according to the total years of service to the local university.

UW-Platteville Faculty Handbook (Chapter 6) -- Sections Related to Revisions to Faculty Bylaws Reported under UWS 2.02

Copy with edits marked as follows:

- sections in light grey block are material deleted from the Faculty Bylaws (original document) and incorporated into the Faculty Handbook (revised document)
- references to the sections of the Faculty Bylaws from which the material was taken are given in brackets
- additions made to the material from the original document are in bold
- deletions made to the material from the original document are marked with strike outs
- sentences that are neither shaded nor in bold are new material

Notes:

- sections are included in their entirety if editing marks appear anywhere in the section
- some sections with no editing marks are included because they are new material relevant to UWS 2.02
- material from Faculty Bylaws Part III on reconsideration and appeal in cases of nonrenewal and denial of tenure was incorporated into section 6.3.12 of the Faculty Handbook; in order to facilitate review of this section, the material from the Bylaws (shaded in grey) for both reconsideration and appeal was divided into numbered textboxes that correspond to similarly numbered textboxes in section 6.3.12 of the Handbook (below, pages 45-64)

6.3 Faculty Personnel Rules

[Bylaws Part III, Article III, Section 1]

6.3.1 Recruitment and Initial Appointment

~~The recruitment and initial appointment process shall be carried out according to the following rules and procedures:~~

~~Section 1~~ **6.3.1.1 Eligibility to Participate in the Recruitment Process**

All department members ~~shall be~~ **are** eligible to take part in the recruitment and initial appointment process described in this ~~article~~ **section**, except:

- ~~a-~~ the incumbent in the position to be filled if declared ineligible by vote of the department, and
- ~~b-~~ candidates for the position who are already department members.

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Individual departments may decide by departmental vote to further limit eligibility to members of the discipline or program in which the appointment will be made.

If the vacancy is that of a department chair, the voting members of the department shall elect one of its eligible members to act as department chair in all matters relating to recruitment and initial appointment.

[Bylaws Part III, Article III, Section 2]

Section 2 6.3.1.2 Position Description and Vacancy Announcements

By majority vote of the full department membership (defined in ~~Section section 6.3.1.1 above~~), or by majority vote of members of the discipline or program if so determined by the department, a statement shall be adopted specifying:

- ~~a~~ the responsibilities to be assigned,
- ~~b~~ the corresponding competencies required in the person filling the vacancy, and
- ~~c~~ what type of contract is desired.

The vote may reaffirm a previous statement of such responsibilities and competencies.

The college dean and the department chair, in consultation with the ~~Chancellor~~ **chancellor**, the ~~Vice Chancellor~~ **provost**, and the department, will then determine whether the appointment will be a regular academic year (or twelve-month) contract, or an academic staff contract.

After the type of contract has been determined, the department ~~shall then~~ **chair and/or the chair of the search and screen committee will** invite appropriate faculty and appropriate students to recommend candidates, and **ensure that** the position ~~shall be~~ **is** advertised widely in suitable media. That notice ~~shall~~ **must** include a statement of the university's commitment to Affirmative Action and Equal Employment Opportunity recruitment policies, and a statement indicating whether the appointment is to be filled by someone holding a regular academic year (or twelve-month) contract, or an academic staff contract.

The department will keep in mind that where layoffs have occurred because of fiscal emergency, no person may be employed at the institution within three years to perform reasonably comparable duties to those of a faculty member laid off, without first offering reappointment to the laid-off faculty member without loss of tenure, seniority, or other rights.

[Bylaws Part III, Article III, Section 3]

Section 3 6.3.1.3 Department Search and Screen Committee

~~The evaluation of candidates and the final selection to be proposed to the Chancellor will now proceed under one of two sets of circumstances:~~

- a. ~~If the number of department members who may participate in the evaluation of candidates is reduced to fewer than three (3) because of:~~
 - i. ~~the size of the department, and/or~~

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- ii. the limitation [sic] on department membership for the purposes of this article that are identified in Section 1 above, and/or
- iii. the physical unavailability of department members because of illness, being on vacation, or like cause, then

Department search and screen committees must include a minimum of three faculty members from the department, subject to the exclusions outlined in section 6.3.1.1. A department may also vote to constitute itself as a search and screen committee.

If fewer than three faculty members from the department are available to take an active part in the search and screen process, the dean shall, after consultation with all the remaining department members, appoint additional faculty to the search and screen committee to make a committee of at least three ~~(3)~~. The additional faculty member(s) so appointed shall be members of a department or departments whose academic discipline is as nearly related as possible to the discipline of the department with the vacancy.

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- b. ~~If the number of department members who may participate in the evaluation of candidates is not reduced to fewer than three (3) because of any or all of the factors identified in a, then the department shall vote to constitute itself as a search and screen committee, or to designate certain members of the department to constitute such a committee, provided that in the latter case at least two are so designated.~~

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The final committee membership must be such that all required fields on the Position Search Form 2—Recruitment Plan are completed.

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~~By whichever means (a or b) that a search and screen committee is established, the college dean shall, at his or her discretion, serve with the committee as consultant. Faculty and students shall be invited to offer their evaluation of the candidates. If condition a prevails, the final selection shall be made by a majority vote of the three (or more) member committee on an affirmative motion. If condition b prevails, the final selection shall be made by a majority vote of the entire department on an affirmative motion.~~ **The college dean may, at his or her discretion, serve with the committee as consultant. Alternatively, the college dean may appoint the college assistant dean or associate dean to serve as his/her designee. Appropriate faculty and students will be invited to offer their evaluation of the candidates. The final selection is made by a majority vote of the search and screen committee on an affirmative motion.**

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[Bylaws Part III, Article III, Section 4]

Section 4 Dean's and Vice Chancellor's Action 6.3.1.6 Role of the Dean and Provost in the Recruitment Process

~~The department's recommendation shall be forwarded to the dean for consideration. If the dean finds the department's recommendation acceptable, the dean will forward the recommendation to the Vice Chancellor. If the Vice Chancellor finds the dean's recommendation acceptable, the appointment procedure outlined in Section 5 below will commence. If the dean does not find the department's choice acceptable, the dean shall~~

It is the responsibility of the search and screen committee chair to ensure that the appropriate paperwork is completed and forwarded to the dean for his or her approval. If the dean approves the candidate selected as the finalist for the position, he or she will sign the appropriate form and forward it to the provost. If the provost concurs with the dean's recommendation, the process moves forward with an offer to the candidate (see section 6.3.1.7).

If the dean does not approve the candidate selected as the finalist for the position, he or she will ask the department chair to convene a meeting of all department members, and they shall (or members of the discipline or program if eligibility has been restricted as per section 6.3.1.1) in order to discuss the matter together. If, after the consultation, the dean's adverse judgment remains unchanged, the department shall will retrace whatever the appropriate steps outlined in Sections 2 and 3 sections 6.3.1.2 and 6.3.1.3 above are necessary, and offer another recommendation.

If the ~~Vice Chancellor~~ **provost** does not find the dean's recommendation acceptable, the dean and ~~Vice Chancellor shall~~ **the provost will meet to** discuss the matter together. If the ~~Vice Chancellor's~~ **provost's** adverse judgment remains unchanged, the department will retrace ~~whatever the appropriate~~ steps outlined in ~~Sections 2 and 3~~ **sections 6.3.1.2 and 6.3.1.3** above ~~are necessary~~, and offer the dean another recommendation.

[Bylaws Part III, Article III, Section 5]

Section 5. 6.3.1.7 Offering a an Initial Contract

When the ~~Vice Chancellor~~ **provost** accepts the dean's recommendation, the department chair and the dean, in consultation with the ~~Vice Chancellor, shall~~ **provost, together** negotiate the terms and conditions of the appointment, including duration of the appointment, salary, rank, starting date, ending date, **general position responsibilities**, probation, tenure status, and any credit that ~~shall be given to prior service, among other matters they may regard as appropriate.~~ **will be given for prior service, including any years toward tenure. NOTE: Probationary faculty hired at mid-year will be evaluated (first review) with first-year probationary faculty hired in the fall semester of the next academic year.**

~~If the candidate offers a verbal acceptance of an appointment on these terms, the Vice Chancellor, as the Chancellor's designee, shall send to the candidate a letter of appointment including the terms as specified above, a copy of the department's profile of duties to be performed, and an explanation of institutional and system rules and procedures relating to faculty appointments, as well as a form for the appointee to sign indicating formal acceptance of the appointment.~~

If the candidate offers a verbal acceptance of an appointment on these terms, the provost, as the chancellor's designee, sends the following to the candidate:

- a letter of appointment that includes the terms as specified above,
- a copy of the department's profile of duties to be performed.

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- **an explanation of institutional and system rules and procedures relating to faculty appointments, and**
- **a form for the appointee to sign indicating formal acceptance of the appointment.**

If the appointment is subject to advance approval by the Board of Regents, a statement to this effect must be included in the letter (**UWS 3.03**).

[Bylaws Part III, Article III, Section 6]

Section 6.3.1.8 Types of Appointment and Length of Probationary Period

Faculty appointments may be for the academic year or twelve months and **shall must** be probationary or tenured.

The maximum probationary period shall be seven ~~(7)~~ years as provided in (UWS 3.04) **The, and the** maximum for a part-time position of at least half-time shall be ten ~~(10)~~ years. No one holding less than a half-time appointment is eligible for tenure. A leave of absence, sabbatical leave, or a teacher improvement assignment ~~shall does~~ not constitute a break in continuous service; ~~nor and~~ shall ~~it not~~ be included in the probationary period (**see section 6.3.2.4**). Any shortening of the probationary period or counting of prior service must be based upon the recommendation of the department or its functional equivalent and approved by the ~~Chancellor~~ **chancellor** or his **or her** designee.

~~All initial academic staff appointments shall be of a type specified in Policies and Procedures Governing Academic Staff.~~

Acting upon the recommendation of the department or its functional equivalent, the chancellor may grant prior service credit to the candidate for the purpose of reducing the maximum probationary period. Such creditable service must be (a) subsequent to completion of the terminal degree and (b) in positions that have expectations for productivity in the areas of research and creative activity and public and professional service, as well as teaching. Credit for prior service must be negotiated at the time of the initial appointment and included in the contract offered to the candidate.

6.3.2 Period of Employment and Related Policies

6.3.2.1 Period of Employment

Most members of the instructional staff are engaged on an academic year appointment, which extends for the nine-month academic year (39 weeks, including days of registration, final examinations, and commencement) specified in the UW-Platteville calendar as approved by the Board of Regents. [Consult the Registrar's Office web site for the current academic calendar (<http://www.uwplatt.edu/registrar/calendars.html>).]

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The instructional staff may be employed as needed for the summer session. An additional two-ninths of the academic year salary is paid for a full-time summer appointment. Summer employment cannot be guaranteed because it is contingent upon enrollment, departmental needs, and the individual's preparation for available assignments. Preference is given to regular faculty members for summer session teaching before seeking off-campus candidates.

The instructional staff may also be employed as needed for the winter session and are paid according to policies set by the provost. Employment is contingent upon enrollment, departmental needs, the individual's preparation for available assignments, and his or her willingness to teach an 11-day course immediately preceding the beginning of the spring semester.

6.3.2.3 Policy on Split Appointments

If a faculty member holds a split appointment between two or more departments, programs, or units, that individual is to be evaluated and recommended by the group in which he or she holds the major fraction of appointment. It is the responsibility of the renewal and tenure review body (RTRB) chair and the department salary and promotion committee (DSPC) chair to obtain written input from the other partial appointment area. In the case of a 50/50 appointment, the faculty member must designate the primary evaluating department, program, or unit.

The evaluation form of a faculty member to be reviewed and recommended by two or more such units will be marked so as to receive proper attention by the appropriate review body or bodies. The purpose of this special procedure is to ensure fair consideration of a faculty member's work in more than one department, program, or unit.

Faculty who have appointments split between teaching and administrative services will participate in the departmental, college, and university RST evaluation process. They will be evaluated and recommended by each group according to their percentage assignment before the final recommendation goes to the chancellor. The department or unit to which a majority of the staff member's time is assigned will have the primary responsibility for moving evaluation materials forward. Performance reviews for faculty who are on limited appointments that do not include teaching assignments shall be based upon the major evaluation categories of job performance, professional/scholarly/creative activity, and university and public service activities as weighted by agreement between the faculty member, the department, and, when appropriate, the college dean.

It is this university's policy that faculty with split appointments, those on leaves of absence, sabbatical leaves, and especially those who have volunteered for retraining and reassignment will not be inadvertently penalized for their unusual assignments; instead, all review bodies will be expected to reward unusual efforts made on behalf of the total university. All review bodies should review the files of all such faculty with care and consideration.

6.3.2.4 Leaves of Absence

Per UWS 3.04, a leave of absence, sabbatical leave, or a teacher improvement assignment does not constitute a break in continuous service and shall not be included in the probationary period. Responsibilities with respect to childbirth or adoption, significant responsibilities with respect to elder or dependent care obligations, disability or chronic illness, or circumstances beyond the control of the faculty member shall not constitute breaks in continuous service, nor shall they be included in the probationary period when those circumstances significantly impede the faculty member's progress toward achieving tenure. It shall be presumed that a request made because of responsibilities with respect to childbirth or adoption shall be approved.

6.3.2.5 Suspension of Tenure Clock

Requests to "suspend the tenure clock" may not be initiated once the tenure file has been submitted for review. A request to "suspend the clock" for any of the reasons listed in section 6.3.2.4 must be made in writing to the department chair. The approved request must be forwarded along with the approval recommendation in turn to the dean, provost, and chancellor (see section 6.3.7.14 for a detailed description of the approval process). The chancellor, in consultation with the department chair, dean, and provost, may grant the request. If the request is denied at any level, the denial must be based upon clear and convincing reasons and must be in writing. More than one request may be granted because of responsibilities with respect to childbirth or adoption.

More than one request may be granted to a probationary faculty member, but the total, aggregate length of time of all requests, except for a request because of responsibilities with respect to childbirth or adoption, granted to one probationary faculty member shall be no more than one year. If a faculty member has been in probationary status for more than seven years because the clock has been "suspended" for one or more of the reasons listed in section 6.3.2.4, then the person shall be evaluated as if he or she had been in probationary status for seven years (see UWS 3.04).

Tenure is not acquired solely because of years of service. Granting tenure must result from an affirmative recommendation of the department or its functional equivalent and approval by the chancellor (see section 6.3.7).

6.3.4 Review Bodies

6.3.4.2 General Functions of Review Bodies

For the purpose of faculty review, references to departments and/or department salary and promotion committees (DSPCs) are intended to include schools and/or school salary and promotion committees (SSPCs). The director of a school is intended to be equivalent to a department chair.

Department Salary and Promotion Committee (DSPC)

The primary function of the department salary and promotion committee is to make promotion in rank and salary recommendations based on pertinent data in accordance with a department- and university-approved plan.

Renewal and Tenure Review Body (RTRB)

The primary function of the department renewal and tenure review body is to make decisions regarding renewal of probationary faculty and the granting of tenure. Such decisions will be made in accordance with a department- and university-approved plan.

College Compensation Committee (CCC)

The primary function of the college compensation committee is to review and evaluate DSPC recommendations for salary and to make separate recommendations in accordance with a university-approved plan.

University Promotion Committee (UPC)

The primary function of the university promotion committee is to review and evaluate DSPC recommendations regarding promotion in rank and to make independent recommendations in accordance with a university-approved plan.

University Rank, Salary, and Tenure Policy Commission (URSTPC)

The primary function of the University Rank, Salary, and Tenure Policy Commission is to set policies and monitor all promotion in rank, salary, renewal, and tenure procedures.

All of the above bodies will act in direct accordance with Affirmative Action and Equal Opportunity Laws and Regulations. The university affirmative action officer will direct the attention of the various review bodies to affirmative action problems and needs.

6.3.4.3 Voting Procedures for Review Bodies

All votes pertaining to actions of review bodies will be conducted by a show of hands; or signed ballots that will be saved and attached to the minutes (forwarded to the provost's office in the case of a tenure decision); or each person's vote can be recorded in the minutes; or a roll call vote, if requested by at least one member, with each person's vote recorded in the minutes. Departmental plans must specify which method(s) of voting will be used. In reporting the results of any personnel action requiring a vote, the vote count (votes for and votes against) will be recorded on the appropriate form and provided to the individual under consideration in the personnel action (see 6.3.7 for information about the tenure and early tenure voting process).

To be considered a positive recommendation (i.e., supportive of renewal, tenure at the completion of the maximum probationary period, promotion, or salary), a simple majority of the votes cast must exist (more votes "for" than votes "against"). A personnel action that does not have a simple majority of the votes cast (either a tie or more votes "against" than votes "for") is considered a negative recommendation (i.e., against renewal, tenure at the completion of the maximum probationary period, promotion, or salary). NOTE: The granting of tenure before the completion of the maximum probationary period (that is, less than seven years, including any

years granted toward tenure) may be recommended by the appropriate RTRB only on the affirmative vote of at least four-fifths of the membership of the RTRB.

Abstentions from voting shall not be counted in determining a simple majority. The right to vote is limited to the members of the review body who are present in person or via synchronous discussion at the time the vote is taken at a legal meeting. [Exception: Members unavoidably absent from the meeting because of illness or emergency may vote by absentee ballot submitted to the chair prior to the meeting; members voting by absentee ballot must have reviewed the file prior to submitting the ballot.] There shall be no voting by proxy. Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes.

The vote is public record. The results of how each person voted, if a roll call or written ballot is used, is also public record and will be released upon request (see also section 6.1.2 “Wisconsin Open Meetings Law”).

[Bylaws Part II, Article VI, Section 5]

6.3.4.4 Department Salary and Promotion Committees (DSPC)

Section 5 Authority of Representative Department ~~Review Bodies~~ Salary and Promotion Committees

When a department ~~review body salary and promotion committee~~ is representative (~~that is i.e.,~~ when a department or group of departments select some of its members to form a department ~~review body salary and promotion committee~~ instead of acting as a whole on ~~renewal, rank, and salary and promotion~~ matters), the decisions of the department ~~review body salary and promotion committee~~ may not be countermanded or altered in any way by that department (or departments). ~~Faculty members who disagree with any decision or recommendation made by a department review body may make their views known, singly or collectively, to that department review body reconsidering an earlier action, or to a higher review body, or to the Appeals Commission hearing~~

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[Bylaws Part II, Article VI, Section 1]

~~For the purpose of faculty review, references to departments, and/or department review bodies (DRBs) are intended to include schools, and/or school review bodies (SRBs). The director of a school is intended to be equivalent to a department chair.~~

6.3.4.5 Renewal and Tenure Review Body (RTRB)

Section 1 Establishment of Criteria for Evaluation

Each department, for the purpose of making decisions about renewal and tenure, shall establish criteria to serve as the basis of faculty evaluation of teaching. ~~The department shall also develop criteria for the evaluation of research, effectiveness, professional, scholarly, and~~

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creative activities; and university and public service, ~~and contribution to the university, activities. The criteria must be~~ consistent with ~~the current URSTPC guidelines policies as~~ approved by the Faculty Senate **and set forth in this handbook. Multi-disciplinary departments may elect to establish sub-plans for individual programs within the department.**

For faculty who have teaching appointments, teaching effectiveness shall receive top priority. Consistent deficiencies in teaching effectiveness cannot be offset by superior achievements in scholarship and service.

Performance reviews for faculty with non-teaching assignments shall be based upon the major evaluation categories of job performance, research and creative activity, and professional and public service as weighted by agreement between the faculty member, the department, and, when appropriate, the college dean.

Faculty subject to a renewal or tenure decision when criteria have significantly changed since time of hire should confer with the department and department chair to negotiate and clarify the criteria to be used. Consideration must be given to length of service under the prior criteria, the terms and expectations under which the initial hire was made, the decision process used to change the criteria, and the extent of prior consultation with the faculty member with respect to the changed criteria. These clarifications will be summarized in writing, approved by the respective college dean, the provost, and the chancellor, and entered into the faculty member's professional record. Decision-makers will use these clarified criteria in making their recommendations.

Probationary faculty hired at mid-year will be evaluated (first review) with first-year probationary faculty hired in the fall semester of the next academic year.

In determining their specific criteria for renewal and tenure, departments shall conform to the university standards given below. Departments and/or programs may choose to use section 6.3.5.5 (3) "Classification of Materials" as a reference guide in formulating their criteria for evaluation.

University standards:

- **Teaching Effectiveness**
The candidate must achieve a record of effectiveness in teaching, advising and other teaching-related responsibilities.
- **Professional, Scholarly and Creative Activity**
The candidate must achieve a record of professional research, or its creative equivalent, and other professional activity. This record should include evidence that the faculty member is in the process of achieving professional recognition in the individual's discipline through scholarly publications; professional papers, presentations, exhibitions or performances; artistic achievement; or other scholarly and creative activities.

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- **University and Public Service Activity**

The candidate must achieve a record of service to the profession, to the university community, and to the public through various activities that take place outside the classroom. The candidate must show a potential to assume a contributing role within the faculty as he or she moves toward the rank of professor.

- **Job Performance in Non-Teaching Assignments (if applicable)**

The candidate must achieve a record of effectiveness in professional effort and responsibility in the non-teaching assignment (such as department chair or program co-ordinator) and must demonstrate skills and knowledge relevant to the job.

[Bylaws, Part III, Article VI, Section 1]

Section 2 Determination of Discipline as the Functional Equivalent of Department Establishment of Renewal and Tenure Review Body

For the purpose of **renewal and** granting tenure, the functional equivalent of the department shall be **all the tenured faculty members of** the academic discipline to which the probationary faculty member has been appointed to teach. **(see the sub-section below for an exception to this practice)**. If the department includes more than one academic discipline, the **Chancellor** shall consult **faculty members (tenured and probationary) of the department, in consultation** with the **department and/or its constituent academic disciplines to college dean, shall** determine which discipline is appropriate for the purpose of making **renewal and** tenure recommendations.

[Bylaws, Part II, Article VI, Section 2]

Section 2 Establishment of Department Review Bodies

Each department shall make provision for a department review body in accordance with one of the following two procedures listed below:

a. On the initiative of the department faculty:

- The department may constitute itself, or some members thereof, as a department review body, providing that the review body shall include at least three tenured faculty members other than the department chair. The department chair must send forward his/her own recommendations concerning matters deliberated by the DRB. Departments that do not have three tenured members shall select an additional member (or additional members) for the review body from other departments within the college; such additional members must be approved by the faculty in the department; or
- Several departments, by majority vote of each, may choose to combine for renewal, rank and salary purposes; the combined departments shall then make provision for a department review body for the faculty in the combined departments; such a review body shall have at least three tenured members other than a department chair. The department chair must send forward his/her own recommendations concerning matters deliberated by the DRB.

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~~b. Chair~~

- ~~f. A department review body shall elect yearly a chair from its membership. Department chairs not are [sic] eligible to serve in this capacity.~~

~~e. No probationary faculty member on a terminal contract may serve on a departmental review body.~~

In disciplines with fewer than three tenured members, the decisions about renewal and tenure shall be made by the tenured members of the discipline and as many additional tenured members of the department as are necessary to create an RTRB of at least three tenured faculty members (see section below on augmentation of the RTRB). In the event that there are fewer than three tenured members in the probationary faculty member's discipline and the department as a whole, decisions about renewal and tenure shall be made by all tenured faculty in the department and as many additional tenured members from a related area as are necessary to create an RTRB of at least three tenured faculty members (see section below on augmentation of the RTRB). In all cases, the membership of the renewal and tenure review body must be clearly defined in the department's RST plan.

The department chair is responsible for convening the initial meeting of the renewal and tenure review body. If the department chair is a tenured faculty member of the academic discipline to which the probationary faculty member has been appointed to teach, he or she is also a member of the RTRB and eligible to serve as chair of that body, unless the department plan specifically prohibits the department chair from serving in this capacity.

Exception to Section 2 above: Faculty hired into an interdisciplinary program

For the purpose of renewal and granting of tenure in the case of faculty hired into an interdisciplinary program, the interdisciplinary group or council that oversees the program may elect to establish the RTRB in one of two ways:

- assign the probationary faculty member to a single academic discipline (e.g., a probationary faculty member with a degree in chemistry could be assigned to the chemistry program for RTRB purposes even though he/she does not teach exclusively in the chemistry program). If this option is selected, the probationary faculty member shall be evaluated according to the criteria established by the academic discipline and annually approved by the URSTPC.
- establish a separate RTRB. If this option is selected, the interdisciplinary group or council must create a separate evaluation plan that must be submitted annually for approval by the URSTPC. This plan may include sub-plans that address the review process for individual faculty. The chair of the interdisciplinary group or council is responsible for convening the initial meeting of the separate RTRB. If the chair of the interdisciplinary group or

council is a member of the renewal and tenure review body, he or she is eligible to serve as chair of that body.

For both options above, the members of the RTRB must be clearly identified in the evaluation plan and the probationary faculty member must be informed of the composition of his or her RTRB. Once established, the RTRB for a probationary faculty member in an interdisciplinary program may not be modified without prior approval of the URSTPC.

Procedure for Augmentation of a Renewal and Tenure Body

In the event that there are fewer than three tenured faculty in a probationary faculty member's discipline, the department chair shall consult with the college dean to determine the list of faculty members within the department whose area of expertise is most closely related to that of the probationary faculty member. The list shall be submitted to the provost who shall randomly select faculty from the list to augment the RTRB in numbers sufficient to result in a committee of three.

In the event that there are fewer than three tenured faculty in a probationary faculty member's discipline and department as a whole, the department chair shall consult with the college dean to determine the list of faculty members from outside the department whose area of expertise is most closely related to that of the probationary faculty member. The list shall be submitted to the provost, who shall randomly select faculty from the list to augment the RTRB in numbers sufficient to result in a committee of three.

[Bylaws Part II, Article VI, Section 3]

Section 3 Voting Eligibility

~~No department review body member may vote on any evaluation or recommendation concerning him or herself. Any department chair serving on the DRB for his/her department shall serve as a nonvoting member.~~

All tenured faculty members in the academic unit (or its functional equivalent as defined in section 2 above), except for those who have resigned for reasons other than retirement and those excluded by other UWS regulations (e.g., s. UWS 8.03 (3), the rule governing nepotism), are eligible to vote on renewal and tenure of probationary faculty appointments.

[Bylaws Part II, Article VI, Section 4]

Section 4 Duties of the Department Renewal and Tenure Review Bodies Body

The department **renewal and tenure** review **bodies body** shall:

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a. ~~Make periodic~~ evaluation of all faculty under its jurisdiction, based on appropriate peer and student evaluation of professional performance.

- **Conduct an annual** evaluation of all **probationary** faculty under its jurisdiction for the purposes of renewal and tenure decisions. **The RTRB's review of probationary faculty shall be based on both** peer and student evaluation of professional performance. Such evaluations are to be elicited according to a plan adopted by the department; **that is;**

- in the light of **compliance with** evaluation criteria established according to the provisions of **6.3.4.5**, section 1 ~~of this article;~~
- in the light of **compliance with** Affirmative Action standards and Equal Employment Opportunity policies;
- in the light of **compliance with** standards listed in ~~the second paragraph of the Faculty Bylaws, Part III, Article VIII, Section 3~~ **section 6.3.5;** and
- ~~according to~~ **in accordance with** general procedures set by the ~~University RST Policy Commission-URSTPC.~~

b. Use the evaluations to make appropriate recommendations to the College RST Committee concerning individual rank, salary, merit award, inequity adjustment, or retention. The department review body shall also forward to the CRSTC the results of tenure votes made by the tenured member ~~[sic]~~ of the department or its functional equivalent as described in Part III, Article VI, Section 1. Individual numerical data and rankings for peer and student evaluations shall not be sent forward to the CRSTs.

c.

- **Use the evaluations to make a decision concerning renewal or tenure.**

- Share the ~~DRB's recommendation~~ **decision** in writing with the affected faculty member, **the appropriate dean, and the department chair (if he or she is not a member of the RTRB)** prior to the time it is forwarded to the ~~next higher review body: chancellor.~~

d. ~~Make the evaluation of each faculty member available to that member in such a way that he or she might be encouraged and helped to improve his or her professional performance.~~

e.

- Reconsider any of its evaluations and recommendations as is required if a faculty member invokes the privileges outlined in ~~the Faculty Bylaws, Part III, Article VIII, Sections 1-3~~ **section 6.3.12.**

f.

- Abide by the more detailed rules and procedures for notification in matters having to do with ~~non-renewal~~ **nonrenewal**, denial of tenure, and termination as set forth in ~~the Faculty Bylaws, Part III, Article VIII, Section 2~~ **section 6.3.12.**

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6.3.5 Review of Performance

6.3.5.3 Periodic Review of Faculty

UWS 3.05 Periodic review. The faculty and chancellor of each institution, after consultation with appropriate students, shall establish rules providing for periodic review of faculty performance.

Section 1 Probationary Faculty

The information gathered through the various phases of periodic review of probationary faculty is used in making personnel decisions as well as in the formulation of plans for the professional development of the faculty member involved. To promote the retention of qualified probationary faculty, the institution encourages departments to assign mentors to the new faculty, to monitor retention goals, and, in conjunction with the administration, work to enhance the intercultural climate. The evaluation policies and procedures shall respect the dignity and the academic freedom of the individual and shall recognize the importance of good staff morale to the achievement of academic excellence.

Section 2 Tenured Faculty

The information gathered through the various phases of periodic review of tenured faculty is used to ensure continuing growth and development in professional skills; to encourage faculty to explore new ways to promote academic excellence; and to identify areas for improvement and provide solutions for problem areas.

Section 3 Department Chairs

Department chairs with teaching responsibilities will be evaluated on teaching effectiveness, scholarly and professional activities, and service in the same manner as other department members, according to their percentage appointment.

Department chairs are responsible for ensuring that their files contain the annual evaluation of their performance as a chair by their department and college dean.

6.3.5.4 Criteria for Review

Section 1 Evaluation Criteria

Each department shall establish criteria to serve as the basis of faculty evaluation of teaching effectiveness; professional, scholarly, and creative activities; and university and public service activities. The criteria must be consistent with current URSTPC policies as approved by the Faculty Senate and set forth in this handbook. Multi-disciplinary departments may elect to establish sub-plans for individual programs within the department.

For faculty who have teaching appointments, teaching effectiveness shall receive top priority. Consistent deficiencies in teaching effectiveness cannot be offset by superior achievements in scholarship and service.

Performance reviews for faculty with non-teaching assignments shall be based upon the major evaluation categories of job performance, professional/scholarly/creative activity and university and public service activities as weighted by agreement between the faculty member, the department, and, when appropriate, the college dean.

The URSTPC shall require of each department a set of guidelines stating how (1) teaching effectiveness; (2) professional, scholarly, and creative activity; and (3) service to the university and to the community are evaluated and how each of the three categories in the evaluation is weighted. Departments have the option of subdividing category number 3 (service) into two subcategories of service to the university and service to the community.

As stated in section 6.3.2.3, it is this university's policy that faculty with split appointments, those on leave of absence, sabbatical leaves, and especially those who have volunteered for retraining and reassignment will not be inadvertently penalized for their unusual assignments; instead all review bodies will be expected to reward unusual efforts made on behalf of the total university. All review bodies should review the files of all such faculty with care and consideration.

1) Teaching Effectiveness

Teaching expectations shall include, but not be limited to, classroom teaching and its ancillary activities such as advising, testing, supervision of independent work, career counseling, advising of student organizations, internships, student-faculty research projects, field trips, individual tutoring, coaching, supervision of student laboratory work, professional consultations with students on class progress and with colleagues on curriculum revision and development, class preparation and syllabus writing, and maintaining familiarity with technology. The relative weighting of these ancillary activities should be addressed in the departmental RST plan.

Effectiveness in teaching will be assessed through peer evaluations and student evaluations, as well as any other supporting materials that the faculty member includes in his or her file. Any additional types of evaluation that are required by a department or program must be clearly outlined in the departmental RST plan.

2) Professional, Scholarly, and Creative Activities

Professional involvement and accomplishments in research/scholarly/creative activity may include, but are not limited to, student-faculty or faculty research/scholarly/creative activity involving traditional discipline-related activity or the scholarship of teaching and learning, publications, presentations at professional organizations, grants applied for, grants received, exhibitions of works of art, performances, video productions, software production, participation in scholarly/scientific meetings, professional development activities, and appropriate consulting work. Work in progress may also be considered.

3) University and Public Service Activities

University and public service activities are defined as significant contributions at the departmental, college, university, community, state, national, or international level in categories other than those identified above. Such activities include, but are not limited to, participating in faculty governance; sharing professional expertise with government, business or private non-profit entities; and participating in non-academic local, regional, national, and international organizations whose aims parallel the professional interests of the faculty.

Failure to adhere to Federal, State, System and campus guidelines on discriminatory harassment or conduct based on race, sex, religion, color, creed, disability, sexual orientation, national origin, ancestry or age shall also be considered in the evaluation process.

6.3.5.6 Procedures for Review

Section 1 The Departmental Faculty Evaluation Plan and Procedures

The department faculty will meet annually for the purpose of discussing the criteria and procedures of the departmental RST plan. Multi-disciplinary departments may elect to establish sub-plans for individual programs within the department. All RST plans must clearly define the expectations for successful performance in the categories of (1) teaching effectiveness, (2) professional, scholarly, and creative activity, and (3) university and public service activities.

In addition to student evaluations, each phase of periodic review will provide for peer judgments of performance and may be conducted by means of classroom evaluations, information presented by the faculty member, information gathered through peer observations, or information provided by the department chair. For nonteaching faculty or faculty with a reduced teaching load, the plan shall follow the principles reflected in these guidelines with appropriate modifications based on the responsibilities and duties of the individual.

On an annual basis, the departmental RST plan (including any sub-plans) for the next academic year must be approved by the faculty in the department and submitted to the URSTPC for approval by the deadline set forth in the RST calendar (see section 6.4). If the department and the URSTPC cannot reach agreement on the departmental plan, the final review and approval will be made by the provost.

The departmental faculty evaluation plan shall include procedures that:

- Conform to the Wisconsin open meetings and records laws, the UW-System rules and policies, URSTPC guidelines, and Faculty Senate policies, all of which shall take precedence;
- Provide forms and procedures for administering and analyzing student evaluations and for maintaining the anonymity and integrity of those evaluations;

- Provide that the faculty member shall be given copies of all periodic reviews of faculty performance at the same time as such reports are submitted to the appropriate review body or individual;
- Provide that the faculty member be given an opportunity to examine his or her student evaluations; and
- Provide that the faculty member be given an opportunity to respond in writing to the student evaluations and the evaluation reports prepared by the appropriate review body or individual and that such responses are attached to the original documents before the evaluation report is forwarded to the next higher review body or individual.

Section 2 The Review Process

All departmental recommendations on renewal, promotion, tenure, and salary shall be based on a review of the materials in the faculty member's file. Recommendations must be reported on the appropriate form.

For renewal and tenure:

- Recommendation for Renewal or Tenure [Form 1]: completed by department chair, dean, RTRB, and chancellor
- Record of Peer Evaluation [Form 2]: completed by RTRB
- Record of Student Evaluation [Form 3]: completed by department chair

For promotion:

- Request for Promotion to Full Professor [Form 5]: completed by department chair, dean, DSPC, UPC, and chancellor

For salary:

- Salary Review [Form 6]: completed by department chair, DSPC, CCC, and chancellor

At all levels of review, the faculty member must be notified of the recommendation and allowed to request a reconsideration. The faculty member may not remove or change the review body's statements without its consent; however, he/she may add a counterstatement with respect to peer evaluation, student evaluation, or evaluation by any review body or individual.

Faculty members must submit their file(s) to their department chair by the deadline set forth in the RST calendar (see section 6.4.3). The department chair will include his or her evaluation as appropriate and ensure that the file is forwarded to the next review body or individual. The next review body or individual is then responsible for forwarding the file.

Higher levels of review, whether a body or an individual, may not accept any new "supporting evidence," regardless of the source, without the material first being reviewed by the appropriate lower-level review body or individual.

After the chancellor has taken action and the review process has been completed, files are returned to the appropriate department chair to be made available to individual faculty members.

Any department or college wishing to deviate from this procedure must have the approval of the appropriate college dean, the provost, and the URSTPC.

6.3.5.7 Responsibilities of Individuals and Review Bodies

Section 1 Faculty Members

It is the responsibility of all faculty who are to be reviewed for any action (renewal, tenure, post-tenure, promotion, or salary) in any given academic year to do the following:

- assemble the RST file(s) according to the university format (see section 6.3.5.5).
- submit the file(s) to the department chair by the deadline set forth in the RST calendar (see section 6.4.3).

Second-year faculty only:

Because of notification laws set forth in state statutes, second-year faculty are required to submit their file (for renewal only) to the department chair by the deadline set in October (see section 6.4.3); second-year faculty must also submit files (for renewal and salary) to the department chair by the deadline set for all probationary faculty in January (see section 6.4.3).

- abide by the procedures and deadlines for submitting counterstatements, requesting a reconsideration, and filing an appeal.
- complete the annual evaluation of the administrative performance of the department chair, the appropriate college dean, the provost, and chancellor.

Section 2 Department Salary and Promotion Committee Members and Chair

The composition of the DSPC is determined by the department. It is the responsibility of the members and chair of the department salary and promotion committee to do the following:

- meet to review the policies and procedures of the DSPC for inclusion in the departmental RST plan for the next academic year. The departmental RST plan must be submitted to the department for review and approval and then to the URSTPC for review and approval, following the deadlines for submission and approval set forth in the RST calendar (see section 6.4.3).
- coordinate the evaluation of the department chair, according to the RST calendar (see section 6.4.3). The DSPC chair distributes evaluation forms to all department members,

collects completed forms, summarizes results, sends the summary and the completed forms to the dean's office, and places a copy of the summary in the department chair's RST file.

- give faculty members written notice at least 20 calendar days prior to the departmental review (promotion and/or compensation).
- post a notice of the review (time, place, and purpose of the meeting) at least seven calendar days in advance in a public place regularly used for posting of notices by the department.
- ensure that the independent evaluations made by the department chair regarding salary and/or promotion and the independent evaluations made by the dean regarding promotion have been included in the faculty file before the file is reviewed by the members of the DSPC and that the faculty member has received a copy of the evaluation(s) prior to the meeting of the DSPC.
- notify the chair of the University Promotion Committee by October 15 of any promotion files that have been submitted for departmental review.
- convene a meeting (or meetings) in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law (see section 6.1.2). NOTE: Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes.

Evaluate the requests made by faculty for promotion in rank and/or salary adjustments (merit/inequity/compression). Compensation requests will be evaluated using the salary inequity study summary distributed to the DSPC by the CCC. Votes must be conducted in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law.

- complete the appropriate section of the form (to be placed at the front of the file) for promotion and/or the form for salary review, recording the number of votes for and against the action.
- abide by the deadlines set by the RST calendar (see section 6.4.3) for notifying faculty of promotion and/or compensation recommendations.
- give faculty under review written notice of the recommendations made. The notification must include information about the process for requesting a reconsideration of all recommendations. The reconsideration may include submission of a counterstatement and/or a request for a personal appearance before the DSPC. The DSPC also places a copy of the memo in the faculty member's file and notifies the department chair.
- post a notice of the reconsideration meeting (time, place, and purpose of the meeting) at least 24 hours in advance in a public place regularly used for posting of notices by the

department, if such a meeting has been requested by any faculty member under review. The reconsideration meeting must be convened in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law (see section 6.1.2). NOTE: Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes. Votes must be conducted in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law.

- complete the appropriate section of the form for promotion and/or the form for salary review, recording the number of votes for and against the original recommendation upon reconsideration.
- give any faculty member who has requested a reconsideration written notice of the results of the reconsideration, following the notification deadline set in the RST calendar (see section 6.4.3). The DSPC also places a copy of the memo in the faculty member's file and notifies the department chair.
- forward the promotion file to the chair of the university promotion committee (deadlines are set in the RST calendar—see section 6.4.3). In the event that a request for promotion is not recommended by the DSPC, it is the responsibility of the faculty member under review to determine if the file is to be sent to the chancellor or returned to the faculty member with no further action taken.
- forward the compensation file to the chair of the appropriate college compensation committee (deadlines are set in the RST calendar—see section 6.4.3).

Section 3 Renewal and Tenure Review Body Members and Chair

The membership and chair of the renewal and tenure review body are defined in section 6.3.4.5. It is the responsibility of the members and chair of the renewal and tenure review body to do the following:

- meet to review the policies and procedures of the RTRB for inclusion in the departmental RST plan for the next academic year. The departmental RST plan must be submitted to the department for review and approval and then to the URSTPC for review and approval, following the deadlines for submission and approval set forth in the RST calendar (see section 6.4.3).
- give probationary faculty members written notice at least 20 calendar days prior to the meeting of the review body. This notice will inform the faculty member whether the review is to be conducted to determine a renewal decision only or to determine a decision for tenure. The notice must also include the statement that the individual has the right to request and receive an open meeting for the portion of the meeting that constitutes an evidentiary hearing or final action on consideration of tenure for that individual.

- post a notice of the review meeting (time, place, and purpose of the meeting) at least seven calendar days in advance in a public place regularly used for posting of notices by the department.
- ensure that the independent evaluation made by the department chair and the independent evaluation made by the dean have been included in the probationary faculty member's file before the file is reviewed by the members of the renewal and tenure review body and that the probationary faculty member has received a copy of the evaluations before the review body meets.
- convene a meeting (or meetings) in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law (see section 6.1.2). NOTE: Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes. Votes must be conducted in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law.
- abide by the deadlines set by the RST calendar (see section 6.4.3) for notifying probationary faculty of renewal and tenure decisions.
- complete the appropriate section of the form (front of the file) for renewal or tenure, recording the number of votes for and against the action. If signed paper votes are used, they must be attached to the minutes and forwarded to the provost's office.
- give probationary faculty under review for renewal or tenure written notice of the decision made. NOTE: The RTRB will not provide to the probationary faculty member under review any written reasons for a negative decision unless requested to do so by the probationary faculty member; if requested, the RTRB is required to provide reasons (see section 6.3.12. for information about reconsideration and appeal). In the event that the decision on renewal or tenure is negative, the same notification must include information about reconsideration, appeal, and requesting written reasons for the decision. The reconsideration may include submission of a counterstatement and/or a request for a personal appearance before the RTRB. The RTRB also places a copy of the memo in the faculty member's file and notifies the department chair.
- post a notice of the reconsideration meeting (time, place, and purpose of the meeting) at least 24 hours in advance in a public place regularly used for posting of notices by the department, if such a meeting has been requested by any probationary faculty member under review (see 6.3.12 for information about reconsideration). The reconsideration meeting must be convened in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law (see section 6.1.2). NOTE: Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes. Votes must be conducted in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law.
- complete the appropriate section of the form for a renewal or tenure decision, recording the number of votes for and against the original decision upon reconsideration. If signed

paper votes are used, they must be attached to the minutes and forwarded to the provost's office.

- give any faculty member who has requested a reconsideration of a nonrenewal or denial of tenure written notice of the results of the reconsideration, following the notification deadline set in the RST calendar (see section 6.4.3). In the case of a nonrenewal or denial of tenure **at** the completion of the maximum probationary period, the written notice must include information about the process for initiating a formal appeal (see section 6.3.12). The RTRB also places a copy of the memo in the faculty member's file and notifies the department chair.
- forward the file to the chancellor's office if the original decision for renewal or tenure is positive or becomes positive upon reconsideration. If the original decision for renewal or tenure **at** the completion of the maximum probationary period is negative and remains negative upon reconsideration (or remains unchanged because the faculty member did not exercise his or her right to reconsideration), the file remains under the jurisdiction of the renewal and tenure review body until such time as the period for filing a formal appeal has elapsed. If a formal appeal is filed by the aggrieved faculty member, the file is forwarded to the chair of the Appeals Commission. If a formal appeal is not filed by the aggrieved faculty member, the file is forwarded to the appropriate dean's office and the chancellor's office is notified. (See section 6.3.12 "Nonrenewal of Probationary Appointments/Denial of Tenure.")

Section 4 Department Chair

It is the responsibility of the department chair to do the following:

- advise all probationary and tenured faculty of the deadlines set forth in the RST calendar (see section 6.4.3) for submitting files for renewal, tenure, post-tenure, promotion, and salary review.
- distribute the departmental RST plan for the current academic year to all faculty in the department by the deadline set forth in the RST calendar (see section 6.4.3).
- complete an independent written evaluation of probationary faculty for the purpose of renewal/tenure and salary, following the deadlines set forth in the RST calendar (see section 6.4.3).
- complete an independent written evaluation of tenured faculty for the purpose of promotion, post-tenure and/or salary review, following the deadlines set forth in the RST calendar (see section 6.4.3).
- submit the independent written evaluation to the appropriate review body (either the DSPC or the RTRB) for inclusion in the faculty member's file before the review body meets to take action. A copy of the chair's evaluation must be sent to the faculty member

under review. It is recommended that the chair also meet in person with probationary faculty to review the evaluation.

- ensure that the summary of student evaluations for individual faculty members is placed in the appropriate file.
- notify tenured faculty who are in the rotation for post-tenure review during the academic year of the procedures (see section 6.3.10) and deadlines for review (see section 6.4.3). The department chair will also arrange for a meeting with the faculty member to review the appropriate form, after which the chair will forward the form to the appropriate dean to be placed in the faculty member's personnel file. If the faculty member's review reveals a need for significant improvement, the department chair will report such to the college dean, with a copy forwarded to the faculty member under review.
- conduct a vote of the tenured faculty members in the department to determine departmental support for recommendations to emeritus status for faculty who have formally notified the provost's office of their retirement date. The results of the vote are forwarded to the appropriate college dean.

Section 5 College Compensation Committee Members and Chair

The membership and chair of the college compensation committee are defined in section 6.3.4.6. It is the responsibility of the members and chair of the college compensation committee to do the following:

- meet to review the policies and procedures of the CCC for the purpose of submitting the CCC's evaluation plan for the next academic year to the URSTPC for review and approval, following the deadlines for submission and approval set forth in the RST calendar (see section 6.4.3).
- distribute the salary inequity study summary, provided by the URSTPC chair, to the DSPC chairs.
- post a notice of the review meeting (time, place, and purpose of the meeting) at least seven calendar days in advance in a public place regularly used for posting of notices by the college and send an e-mail notice out to the college.
- convene a meeting (or meetings) in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law (see section 6.1.2). NOTE: Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes.

Evaluate the recommendations made by the department salary and promotion committees and the department chairs for salary adjustments (merit/inequity/compression), using the salary inequity study summary distributed to the CCC by the URSTPC. Votes must be

conducted in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law.

- abide by the deadlines set by the RST calendar (see section 6.4.3) for notifying faculty of recommendations concerning salary adjustments.
- complete the appropriate section of the salary review form, recording the number of votes for and against the action.
- give faculty under review written notice of the recommendations made; the same notification must include information about the process for requesting a reconsideration of all recommendations. The reconsideration may include submission of a counterstatement and/or a request for a personal appearance before the CCC. The CCC also places a copy of the memo in the faculty member's file and notifies the DSPC and the department chair.
- post a notice of the reconsideration meeting (time, place, and purpose of the meeting) at least 24 hours in advance in a public place regularly used for the posting of notices by the college, if such a meeting has been requested by any faculty member under review. The reconsideration meeting must be convened in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law (see section 6.1.2). NOTE: Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes. Votes must be conducted in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law.
- complete the appropriate section of the salary review form, recording the number of votes for and against the original recommendation upon reconsideration.
- give any faculty member who has requested a reconsideration written notice of the results of the reconsideration, following the notification deadline set in the RST calendar (see section 6.4.3). The CCC also places a copy of the memo in the faculty member's file and notifies the DSPC and the department chair.
- forward the file to the chancellor's office.
- submit an annual report to the URSTPC that summarizes merit, inequities, and compression issues for the entire college.

Section 6 University Promotion Committee Members and Chair

The membership and chair of the university promotion committee are defined in section 6.3.4.8. It is the responsibility of the members and chair of the UPC to do the following:

- post a notice of the review (time, place, and purpose of the meeting) at least seven calendar days in advance in a public place regularly used for posting of notices by the university. DSPC chairs will notify the UPC chair by October 15 of any promotion files

that have been submitted for departmental review; the UPC chair should begin the scheduling process at this time.

- convene one or more meetings as necessary for the purpose of reviewing as a group each candidate's teaching, professional development, and service accomplishments as presented in the promotion file. The meetings will be convened in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law (see section 6.1.2). NOTE: Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes.
- convene a separate meeting for the purpose of voting on the promotion requests. The meeting will be convened in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law (see section 6.1.2). NOTE: Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes. Votes must be conducted in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law.
- abide by the deadlines set by the RST calendar (see section 6.4.3) for notifying faculty of decisions concerning promotion in rank.
- complete the appropriate section of the form for promotion, recording the number of votes for and against the action.
- give faculty under review written notice of the recommendations made; the same notification must include information about the process for requesting a reconsideration of all recommendations. The reconsideration may include submission of a counterstatement and/or a request for a personal appearance before the UPC. The UPC also places a copy of the memo in the faculty member's file and notifies the DSPC, the department chair, and the dean.
- post a notice of the reconsideration meeting (time, place, and purpose of the meeting) at least 24 hours in advance in a public place regularly used for posting of notices by the university, if such a meeting has been requested by any faculty member under review. The reconsideration meeting must be convened in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law (see section 6.1.2). NOTE: Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes. Votes must be conducted in accordance with department- and university-approved policies and with Wisconsin's Open Meetings Law.
- complete the appropriate section of the form for promotion, recording the number of votes for and against the original recommendation upon reconsideration.
- give any faculty member who has requested a reconsideration written notice of the results of the reconsideration, following the notification deadline set in the RST calendar (see section 6.4.3). The UPC also notifies the faculty member under review that the chancellor is the court of last appeal. The UPC places a copy of the memo in the faculty

member's file and notifies the DSPC, the department chair, and the dean. In the event that a request for promotion is not recommended by the UPC, it is the responsibility of the faculty member under review to determine if the file is to be sent to the chancellor or returned to the faculty member with no further action taken.

Section 7 University Rank, Salary, Tenure Policy Commission Members and Chair

The membership and chair of the university rank, salary, tenure policy commission are defined in section 6.3.4.6. It is the responsibility of the members and chair of the URSTPC to do the following:

- meet to review the departmental RST plans and the college compensation committee plans for the next academic year, following the deadlines for submission and approval set forth in the RST calendar (see section 6.4.3).
- notify in writing each DSPC and CCC of any changes to be made (and the deadline for resubmission) or if no changes need to be made.
- submit any changes to the URST procedures for the next academic year to the Faculty Senate for approval.
- coordinate the process for evaluating the college deans, provost, and chancellor, following the RST calendar (see section 6.4.3).
- distribute the salary inequity study summary, provided by the university affirmative action officer, to the CCC chairs.
- submit an annual report to the Faculty Senate that summarizes the CCC reports.
- monitor the post-tenure review process in conjunction with the provost.
- respond to questions or concerns from any individual or review body.

Section 8 Deans

It is the responsibility of each college dean to do the following:

- complete the appropriate section of the forms for renewal, tenure, and promotion actions and notify the faculty under review of all recommendations made.
- serve on the college compensation committee as a non-voting member or, if so elected by the committee, serve as chair (non-voting). Alternatively, the dean may designate the college assistant dean or associate dean to serve in his/her place on the committee.
- distribute department chair evaluation forms to the chair of each department salary and promotion committee in the college, according to the RST calendar (see section 6.4.3).

Completed evaluations are returned to the dean's office and used in the evaluation by the dean of the department chair's administrative performance.

- send a summary of post-tenure reviews to the provost's office by the deadline set forth in the RST calendar (see section 6.4.3).
- forward a recommendation (concurrence with department or not) to the chancellor on granting emeritus status to faculty who have formally notified the provost's office of their retirement date.

Section 9 Provost

It is the responsibility of the provost to do the following:

- serve as a non-voting chair of the university promotion committee.
- monitor the post-tenure review process in conjunction with the URSTPC.
- notify department chairs of impending retirements.

Section 10 Chancellor

It is the responsibility of the chancellor to do the following:

- review renewal and tenure decisions made by the renewal and tenure review body at the department level, following the RST calendar (see section 6.4.3).
- abide by the provisions of UWS 3.06 in making renewal and tenure decisions.
- give probationary faculty under review for renewal or tenure written notice of the decision made, following the RST calendar (see section 6.4.3) and state statutes governing notification by the institution. In the event that the decision on renewal or tenure is negative, the same written notice must include information about reconsideration and requesting written reasons for the decision. The reconsideration may include submission of a counterstatement and/or a request for a personal appearance before the chancellor. A copy of the memo must be placed in the faculty member's file and forwarded to the appropriate department chair, RTRB chair, and college dean.
- give any faculty member who has requested a reconsideration (in person and/or through submission of a counterstatement) of a nonrenewal or denial of tenure decision written notice of the results of the reconsideration, following the notification deadline set in the RST calendar (see section 6.4.3). A copy of the memo must be placed in the faculty member's file and forwarded to the department chair, RTRB, and dean.
- evaluate recommendations for promotion in rank made by the department salary and promotion committees and the university promotion committee. The final decision and

notification of this decision will be made by the chancellor. A copy of the notification will be placed in the faculty member's file and forwarded to the department chair, the DSPC, the dean, and the UPC. The chancellor is the court of last appeal in all matters related to promotion in rank.

- evaluate the recommendations made by the department salary and promotion committees, the department chairs, and the college compensation committees for salary (merit/inequity/compression). The salary inequity study summary distributed to the URSTPC by the university affirmative action officer will be used for this evaluation. The final decision and notification of this decision will be made by the chancellor. A copy of the notification will be placed in the faculty member's file and forwarded to the department chair, DSPC, CCC, and dean.

6.3.6 Renewal of Probationary and Other Appointments

6.3.6.1 General Information

Section 2 Renewal/Tenure Decisions (decision vs. recommendation)

Decisions

Decisions regarding renewal or granting of tenure are made at only two levels: the department (or its functional equivalent) and the chancellor (or the chancellor's designee).

NOTE: This can be very confusing, especially since UWS 3.01 includes language referring to departmental recommendations (see section 1 above). To be absolutely accurate, one would say that a departmental action supporting appointment, renewal, or tenure is a recommendation, since the chancellor need not accept the decision of the department or its functional equivalent. However, an action denying appointment, renewal, or tenure is always a decision since the chancellor cannot appoint or reappoint absent the affirmative recommendation of the department or its functional equivalent, and the Board cannot award tenure without the affirmative recommendation of the department or its functional equivalent except under extremely narrow circumstances.

If the department says yes, the chairperson, dean, and provost may all recommend no, and the chancellor will decide. If the department says no, that ends the matter unless there is an appeal. The chairperson's and college dean's separate recommendations, if different from the decision of the department, would not affect the decision.

Faculty have the right to appeal a decision not to renew or not to grant tenure made at the department level.

Recommendations

Recommendations regarding renewal or the granting of tenure may be made by a faculty member's department chairperson or college dean, or by the provost. An adverse recommendation made by these individuals is not subject to appeal. However, faculty who appeal an adverse decision may call as a witness any person who made an adverse recommendation to the individual making the decision.

6.3.6.2 Composition of the Renewal and Tenure Review Body

The composition of the renewal and tenure review body is defined in section 6.3.4.5.

6.3.6.3 Voting Eligibility

Voting eligibility on the renewal and tenure review body is defined in section 6.3.4.5.

6.3.6.4 Criteria for Evaluation

Each department, for the purpose of making decisions about renewal and tenure, shall establish criteria to serve as the basis of faculty evaluation of teaching effectiveness; professional, scholarly, and creative activities; and university and public service activities. The criteria must be consistent with current URSTPC policies as approved by the Faculty Senate and set forth in this handbook. Multi-disciplinary departments may elect to establish sub-plans for individual programs within the department (see also 6.3.5.4).

For faculty who have teaching appointments, teaching effectiveness shall receive top priority. Consistent deficiencies in teaching effectiveness cannot be offset by superior achievements in scholarship and service.

Performance reviews for faculty with non-teaching assignments shall be based upon the major evaluation categories of job performance, professional/scholarly/creative activity and university and public service activities as weighted by agreement between the faculty member, the department, and, when appropriate, the college dean.

Faculty subject to a renewal decision when criteria have significantly changed since time of hire should confer with the department and department chair to negotiate and clarify the criteria to be used. Consideration must be given to length of service under the prior criteria, the terms and expectations under which the initial hire was made, the decision process used to change the criteria, and the extent of prior consultation with the faculty member with respect to the changed criteria. These clarifications will be summarized in writing, approved by the respective college dean, the provost, and the chancellor, and entered into the faculty member's professional record. Decision-makers will use these clarified criteria in making their recommendations.

Probationary faculty hired at mid-year will be evaluated (first review) with first-year probationary faculty hired in the fall semester of the next academic year.

In determining their specific criteria for renewal, departments shall conform to the university standards given below. Departments and/or programs may choose to use section 6.3.5.5 (3) “Classification of Materials” as a reference guide in formulating their criteria for evaluation.

University standards:

- **Teaching Effectiveness**
The candidate must achieve a record of effectiveness in teaching, advising and other teaching-related responsibilities.
- **Professional, Scholarly and Creative Activity**
The candidate must achieve a record of professional research, or its creative equivalent, and other professional activity. This record should include evidence that the faculty member is in the process of achieving professional recognition in the individual’s discipline through scholarly publications; professional papers, presentations, exhibitions or performances; artistic achievement; or other scholarly and creative activities.
- **University and Public Service Activity**
The candidate must achieve a record of service to the profession, to the university community, and to the public through various activities that take place outside the classroom. The candidate must show a potential to assume a contributing role within the faculty as he or she moves toward the rank of professor.
- **Job Performance in Non-Teaching Assignments (if applicable)**
The candidate must achieve a record of effectiveness in professional effort and responsibility in the non-teaching assignment (such as department chair or program co-ordinator) and must demonstrate skills and knowledge relevant to the job.

[Bylaws Part III, Article IV, Section 1]

Article IV Recommendations Concerning Renewal of Probationary Appointments

Section 1 Notification of Review for Renewal

The department chair shall assure that each probationary faculty member is notified in writing of the date of his or her department review at least twenty calendar days prior to the date of that review. At the same time, the department review body shall invite other department members, and any other colleagues identified by the faculty member to be reviewed, to present information on his or her behalf. The department chair shall notify the department of impending reviews at higher levels as per URSTPC guidelines for that year.

6.3.6.5 Notification

The chair of the appropriate RTRB must give the faculty member at least 20 days’ advance written notice of the departmental review. This notice will inform the faculty member whether the review is to be conducted to determine a renewal decision only or to determine

a decision on tenure. This notice will also inform the faculty member of his/her right to request an opportunity to appear before the committee to present information on his or her behalf.

Second-year faculty must be notified of nonrenewal for a third year by December 15 and first-year faculty must be notified of nonrenewal for a second year by March 1.

6.3.6.6 Meeting for Discussion Prior to Vote

Before a vote is taken, the decision in question shall be discussed at a meeting of the renewal and tenure review body. The meeting shall be called under the provisions of s. 19.85, Wis. Stats., the Open Meetings Law (see section 6.1.2). The meeting shall be called and conducted by the chair so as to afford reasonable opportunities to ask questions, to offer additional information, and to discuss the decision in question. This discussion shall be based on documents in the probationary faculty member's file. The faculty member under review has the right to request an appearance before the renewal and tenure review body.

6.3.6.7 Voting Procedures

For at least a five-workday period before the vote is taken, every faculty member eligible to vote on the renewal decision shall be allowed access to the professional file for review purposes only.

As stated in section 6.3.4.3, all votes pertaining to actions of review bodies will be conducted by a show of hands; or signed ballots that will be saved and attached to the minutes (forwarded to the provost's office in the case of a tenure decision); or each person's vote can be recorded in the minutes; or a roll call vote, if requested by at least one member, with each person's vote recorded in the minutes. Departmental plans must specify which method(s) of voting will be used. In reporting the results of any personnel action requiring a vote, the vote count (votes for and votes against) will be recorded on the appropriate form and provided to the individual under consideration in the personnel action.

6.3.6.8 Counting of Votes

To be considered a positive recommendation (i.e., supportive of renewal), a simple majority of the votes cast must exist (more votes "for" than votes "against"). A personnel action that does not have a simple majority of the votes cast (either a tie or more votes "against" than votes "for") is considered a negative recommendation (i.e., against renewal).

Abstentions from voting shall not be counted in determining a simple majority. The right to vote is limited to the members of the review body who are present in person or via synchronous discussion at the time the vote is taken at a legal meeting. [Exception: Members unavoidably absent from the meeting because of illness or emergency may vote by absentee ballot submitted to the chair prior to the meeting; members voting by absentee ballot must have reviewed the file prior to submitting the ballot.] There shall be no voting by proxy. Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes.

The vote is public record. The results of how each person voted, if a roll call or written ballot is used, is also public record and will be released upon request (see also section 6.1.2 “Wisconsin Open Meetings Law”).

[Bylaws Part III, Article IV, Section 2 (first four sentences)]

~~Section 2 Recommendation Concerning Renewal~~ **6.3.6.9 Reporting of Decision**

Renewal ~~Department and tenure~~ review bodies shall decide annually to renew or not renew the appointment of faculty members on probationary appointments. ~~Beginning in the probationary faculty member's second year, if the faculty member is recommended by the department review body for reappointment, the tenured faculty of the discipline shall review the file annually to discuss the person's prospects for tenure and prepare a written statement that will be placed in the individual's file. If the tenured faculty have any concerns regarding the probationary faculty member's prospects for tenure, they should be addressed in this written statement. A copy of this statement shall be given directly to the individual.~~

[Bylaws Part III, Article IV, Section 5]

~~Section 5 Procedure~~

~~Recommendations concerning the renewal of each probationary faculty member shall be sent by the department review body to the college RST committee and to the faculty member. The rules and procedures to be followed by the college RST committee are set forth in the Faculty Bylaws, Part II, Article V, Section 3. Recommendations of the college RST committee shall be forwarded to the Provost.~~

The renewal and tenure review body shall forward to the chancellor its decision and the number of votes for and against renewal within five days of the time of the committee's vote. It shall at the same time inform the faculty member, the department chair, and the dean of its decision in writing. NOTE: The RTRB will not provide to the probationary faculty member under review any written reasons for a negative decision unless requested to do so by the probationary faculty member; if requested, the RTRB is required to provide reasons. The chair of the RTRB shall be responsible for ensuring that departmental policy is followed when written reasons have been requested.

[Bylaws Part III, Article IV, Section 6]

~~Section 6 Appeals~~

~~Any adverse decision concerning renewal may be reconsidered and/or appealed according to the following:~~

- a. ~~If the adverse decision concerning renewal originates with the department review body, the aggrieved faculty member shall, at his or her request, be granted a reconsideration according to the provisions of the Faculty Bylaws, Part III, Article VIII, Section 2. If, after the reconsideration deliberations, the department review body reaffirms its adverse judgment, the aggrieved faculty member may then initiate the formal appeal procedure outlined in the Faculty Bylaws, Part III, Article VIII, Section 3.~~
- b. ~~If an adverse recommendation concerning renewal originates with the college RST committee the aggrieved faculty member shall, at his or her request, be granted all the rights of reconsideration and appeal set forth in the Faculty Bylaws, Part III, Article VIII.~~

If the vote is for nonrenewal, the faculty member shall also be informed of his or her right to reconsideration and appeal and to receive written reasons for nonrenewal, as per UWS 3.07. If written reasons are requested, they shall become a part of the personnel file of the individual (see section 6.3.12 for information about reconsideration and appeal).

[Bylaws Part III, Article IV, Section 2 (last four sentences)]

~~In addition, in situations where the department's position allocation is reduced after the DRB RTRB has made an affirmative recommendation, the department shall have the opportunity to reconsider its earlier recommendation in light of the reduction. The decision to renew will be forwarded to the college RST committee for further consideration.~~ The recommendation to renew a faculty member's probationary contract may contain a further recommendation that the renewal take the form of a terminal contract (provided that the contract period does not extend beyond the maximum probationary period). The decision not to renew will be made known to the affected faculty member in writing within twenty calendar days, and the faculty member shall be informed of the reconsideration and appeal procedures outlined in ~~Faculty Bylaws, Part III, Article VIII, below section 6.3.12.~~

6.3.6.10 Role and Authority of Chancellor

The RTRB and the chancellor make decisions on renewal and tenure considerations. All other levels of review make recommendations.

The chancellor shall inform the faculty member under review, the chair of the RTRB, the department chair, and the dean of his or her decision for the renewal or nonrenewal of the probationary appointment. If the decision is for nonrenewal, the faculty member shall also be informed of his or her right to reconsideration and to receive written reasons for nonrenewal, as per UWS 3.07. If written reasons are requested, they shall become a part of the personnel file of the individual (see section 6.3.12 for information about reconsideration and appeal).

[Bylaws Part III, Article IV, Section 3]

Section 3 6.3.6.11 Recommendation Concerning Renewal of Department Chairs

When the department chair is a probationary faculty member, he or she will not submit a recommendation for renewal concerning him- or herself. ~~All the provisions of Sections 1 and 2 above will be followed, except that the college dean will also submit an evaluation and recommendation concerning the department chair to the college RST committee. All other steps in the renewal process apply.~~

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[Bylaws Part III, Article IV, Section 4]

Section 4 6.3.6.12 Recommendations Concerning ~~the~~ Renewal of Academic Administrators

There are two types of renewal of academic administrators:

a) When “renewal” means renewal of ~~applies to renewal of a~~ probationary faculty appointment, all recommendations concerning such shall originate with the department wherein each holds rank, ~~and shall be based on academic achievement.~~

b) When “renewal” means continuation of administrative appointment ~~applies to the~~ **continuation of an administrative appointment**, such as provost or college dean, the University RST Policy Commission **URSTPC** shall solicit faculty contributions and shall forward them to the chancellor for consideration.

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6.3.7 Granting of Tenure

6.3.7.1 General Information

Section 2 Renewal/Tenure Decisions (decision vs. recommendation)

Decisions

Decisions regarding renewal or granting of tenure are made at only two levels: the department (or its functional equivalent) and the chancellor (or the chancellor’s designee).

NOTE: This can be very confusing, especially since UWS 3.01 includes language referring to departmental recommendations (see section 1 above). To be absolutely accurate, one would say that a departmental action supporting appointment, renewal, or tenure is a recommendation,

since the chancellor need not accept the decision of the department or its functional equivalent. However, an action denying appointment, renewal, or tenure is always a decision since the chancellor cannot appoint or reappoint absent the affirmative recommendation of the department or its functional equivalent, and the Board cannot award tenure without the affirmative recommendation of the department or its functional equivalent except under extremely narrow circumstances.

If the department says yes, the chairperson, dean, and provost may all recommend no, and the chancellor will decide. If the department says no, that ends the matter unless there is an appeal. The chairperson's and college dean's separate recommendations, if different from the decision of the department, would not affect the decision.

Faculty have the right to appeal a decision not to renew or not to grant tenure made at the department level.

Recommendations

Recommendations regarding renewal or the granting of tenure may be made by a faculty member's department chairperson or college dean, or by the provost. An adverse recommendation made by these individuals is not subject to appeal. However, faculty who appeal an adverse decision may call as a witness any person who made an adverse recommendation to the individual making the decision.

Section 3 Policy on Tenure Density

Tenure density shall be based on the proportion of tenured to nontenured faculty and teaching academic staff in each department or its functional equivalent and shall be monitored on a continuing basis. When tenure density is significantly high, tenure should be recommended only in cases where the candidate has received the appropriate terminal degree and is deemed to be an exceptional present and future asset to the department (or its functional equivalent) and the university. Exceptions to the above terminal degree requirement may be made in extraordinary cases where, prior to appointment, the department or its functional equivalent has made a written justification that both the academic dean and the provost have approved.

Tenure should be recommended only by a department or its functional equivalent that can demonstrate long-term programmatic need. Ordinarily, tenure should not be recommended by any department or its functional equivalent that is characterized by a significantly high tenure density or by falling enrollments. Written justification to grant tenure in these cases must accompany a recommendation from the department or its functional equivalent.

A department or its functional equivalent that is characterized by a significantly high tenure density or by falling enrollments must be candid about the prospects for tenure with probationary faculty at the time of hire. Such a department or its functional equivalent is also urged to make nonrenewal decisions as early as possible in all impending tenure cases.

6.3.7.2 Composition of the Renewal and Tenure Review Body

The composition of the renewal and tenure review body is defined in section 6.3.4.5.

6.3.7.3 Voting Eligibility

Voting eligibility on the renewal and tenure review body is defined in section 6.3.4.5.

6.3.7.4 Criteria for Evaluation

Each department, for the purpose of making decisions about renewal and tenure, shall establish criteria to serve as the basis of faculty evaluation of teaching effectiveness; professional, scholarly, and creative activities; and university and public service activities. The criteria must be consistent with current URSTPC policies as approved by the Faculty Senate and set forth in this handbook. Multi-disciplinary departments may elect to establish sub-plans for individual programs within the department (see also 6.3.5.4)

For faculty who have teaching appointments, teaching effectiveness shall receive top priority. Consistent deficiencies in teaching effectiveness cannot be offset by superior achievements in scholarship and service.

Performance reviews for faculty with non-teaching assignments shall be based upon the major evaluation categories of job performance, professional/ scholarly/creative activity and university and public service activities as weighted by agreement between the faculty member, the department, and, when appropriate, the college dean.

Faculty subject to a tenure decision when criteria have significantly changed since time of hire should confer with the department and department chair to negotiate and clarify the criteria to be used. Consideration must be given to length of service under the prior criteria, the terms and expectations under which the initial hire was made, the decision process used to change the criteria, and the extent of prior consultation with the faculty member with respect to the changed criteria. These clarifications will be summarized in writing, approved by the respective college dean, the provost, and the chancellor, and entered into the faculty member's professional record. Decision-makers will use these clarified criteria in making their recommendations.

In determining their specific criteria for tenure, departments shall conform to the university standards given below. Departments and/or programs may choose to use section 6.3.5.5 (3) "Classification of Materials" as a reference guide in formulating their criteria for evaluation.

University standards:

- Teaching Effectiveness
The candidate must achieve a record of effectiveness in teaching, advising and other teaching-related responsibilities.
- Professional, Scholarly and Creative Activity
The candidate must achieve a record of professional research, or its creative equivalent, and other professional activity. This record should include evidence that the faculty

member is in the process of achieving professional recognition in the individual's discipline through scholarly publications; professional papers, presentations, exhibitions or performances; artistic achievement; or other scholarly and creative activities.

- **University and Public Service Activity**
The candidate must achieve a record of service to the profession, to the university community, and to the public through various activities that take place outside the classroom. The candidate must show a potential to assume a contributing role within the faculty as he or she moves toward the rank of professor.
- **Job Performance in Non-Teaching Assignments (if applicable)**
The candidate must achieve a record of effectiveness in professional effort and responsibility in the non-teaching assignment (such as department chair or program coordinator) and must demonstrate skills and knowledge relevant to the job.

6.3.7.5 Notification

The chair of the appropriate RTRB must give the faculty member at least 20 days' advance written notice of the departmental review. This notice will inform the faculty member whether the review is to be conducted to determine a renewal decision only or to determine a decision on tenure. This notice will also inform the faculty member of his/her right to request and receive an open meeting for the portion of the meeting that constitutes an evidentiary hearing or final action on consideration of tenure for that individual.

6.3.7.6 Meeting for Discussion Prior to Vote

Before a vote is taken, the decision in question shall be discussed at a meeting of the renewal and tenure review body. The meeting shall be called under the provisions of s. 19.85, Wisconsin Statutes, the Open Meetings Law (see section 6.1.2). The meeting shall be called and conducted by the chair so as to afford reasonable opportunities to ask questions, to offer additional information, and to discuss the decision in question. This discussion shall be based on documents in the probationary faculty member's personnel file. The faculty member under review has the right to request an appearance before the renewal and tenure review body and to be present for the portion of the meeting that constitutes an evidentiary hearing or final action on consideration of tenure for that individual.

6.3.7.7 Voting Procedures

For at least a five-workday period before the vote is taken, every faculty member eligible to vote on the granting of tenure shall be allowed access to the professional record for review purposes only.

As stated in section 6.3.4.3, all votes pertaining to actions of review bodies will be conducted by a show of hands; or signed ballots that will be saved and attached to the minutes (forwarded to the provost's office in the case of a tenure decision); or each person's vote can be recorded in the minutes; or a roll call vote, if requested by at least one member, with each person's vote recorded

in the minutes. Departmental plans must specify which method(s) of voting will be used. In reporting the results of any personnel action requiring a vote, the vote count (votes for and votes against) will be recorded on the appropriate form and provided to the individual under consideration in the personnel action.

[Bylaws Part III, Article VI, Section 3 (Section 3, subsection “b” on abstention votes is identical to Section 2 subsection “b” on abstention votes; both subsections are referenced below)]

Section 3 At the Completion of the Maximum Period

- a. The granting of tenure to begin after the maximum probationary period may be recommended by a simple majority of the tenured members of the discipline as defined in Section 1. In disciplines with fewer than three tenured members, the granting of such tenure may be recommended by a simple majority of the tenured members of the discipline and the tenured members of the department review body. In the event that there are fewer than three tenured members in the probationary faculty member's discipline (as specified in Section 1) and the department review body, the granting of such tenure may be recommended by a simple majority of the tenured members of the department. Because of the notice periods required in UWS 3.09, all such recommendations must be made by the end of the sixth year of employment.

6.3.7.8 Counting of Votes

To be considered a positive recommendation (i.e., supportive of tenure at the completion of the maximum probationary period), a simple majority of the votes cast must exist (more votes “for” than votes “against”). A personnel action that does not have a simple majority of the votes cast (either a tie or more votes “against” than votes “for”) is considered a negative recommendation (i.e., against tenure at the completion of the maximum probationary period). NOTE: The granting of tenure before the completion of the maximum probationary period (that is, less than seven years, including any years granted toward tenure) may be recommended by the appropriate RTRB only on the affirmative vote of at least four-fifths of the membership of the RTRB (see section 6.3.7.12 below).

b. Abstention votes shall be counted in determining a quorum. Abstentions votes and absences from voting shall not be counted in determining a recommendation on tenure simple majority. All votes must be recorded. The right to vote is limited to the members of the review body who are present in person or via synchronous discussion at the time the vote is taken at a legal meeting. [Exception: Members unavoidably absent from the meeting because of illness or emergency may vote by absentee ballot submitted to the chair prior to the meeting; members voting by absentee ballot must have reviewed the file prior to submitting the ballot.] There shall be no voting by proxy. Asynchronous meetings and discussion (electronic or otherwise) are contrary to state statutes.

The vote is public record. The results of how each person voted, if a roll call or written ballot is used, is also public record and will be released upon request (see also section 6.1.2 “Wisconsin Open Meetings Law”).

[Bylaws Part III, Article VI, Section 4]

Section 4 Procedure

Recommendations concerning the granting of tenure to any faculty member shall be sent by the department (or the department review body) to the college RST committee and to the faculty member. The rules and procedures to be followed by the college RST committee are set forth in the Faculty Bylaws, Part II, Article V, Section 3. Recommendations of the college RST committees shall be forwarded to the Provost.

6.3.7.9 Reporting of Decision

The renewal and tenure review body shall forward to the chancellor its decision and the number of votes for and against tenure within five days of the time of the committee's vote. It shall at the same time inform the faculty member, the department chair, and the dean of its decision in writing. NOTE: The RTRB will not provide to the probationary faculty member under review any written reasons for a negative decision unless requested to do so by the probationary faculty member; if requested, the RTRB is required to provide reasons. The chair of the RTRB shall be responsible for ensuring that departmental policy is followed when written reasons have been requested.

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[Bylaws Part III, Article VI, Section 6 (subsection "a" and first sentence of "subsection "b"))]

Section 6 Appeals

Any adverse decision may be reconsidered and/or appealed according to the following:

- a. If the adverse decision concerning tenure originates with the tenured members of the department or its functional equivalent, the aggrieved faculty member shall, at his or her request, be granted a reconsideration according to the provisions of the Faculty Bylaws, Part III, Article VIII, Section 2. If, after the reconsideration deliberations, the tenured members of the department or its functional equivalent [sic] reaffirm their adverse judgment, the aggrieved faculty member may then initiate the formal appeal procedure outlined in the Faculty Bylaws, Part III, Article VIII.
- b. If an adverse recommendation concerning tenure originates with the college RST committee, the aggrieved faculty member shall, at his or her request, be granted all the rights of reconsideration and appeal set forth in the Faculty Bylaws Part III, Article VIII.

If the vote is for denial of tenure, the faculty member shall also be informed of his or her right to reconsideration and appeal and to receive written reasons for the denial of tenure, as per UWS 3.07. If written reasons are requested, they shall become a part of the personnel file of the individual (see section 6.3.12 for information about reconsideration and appeal).

6.3.7.10 Role and Authority of Chancellor

The RTRB and the chancellor make decisions on renewal and tenure considerations. All other levels of review make recommendations.

The chancellor shall inform the faculty member under review, the chair of the RTRB, the department chair and the dean of his or her decision on the granting of tenure. If the decision is for denial of tenure, the faculty member shall also be informed of his or her right to reconsideration and to receive written reasons for the denial of tenure, as per UWS 3.07. If written reasons are requested, they shall become a part of the personnel file of the individual (see section 6.3.12 for information about reconsideration and appeal).

6.3.7.11 Tenure and Promotion in Rank

As of [month, year], promotion to the rank of associate professor is concomitant with the tenure decision. Any probationary faculty member holding the rank of assistant professor who is granted tenure is also promoted to the rank of associate professor. Assistant professors tenured prior to [month, year] may apply for promotion to associate professor when they have met the minimum university requirements for education and time in rank (see section 6.3.8). In this case, the faculty member is only required to submit a letter requesting promotion (no file is required).

Faculty members hired at the rank of associate professor without tenure may be granted tenure without promotion to professor.

Associate professors may apply for promotion to professor when they have met the minimum university requirement for education and time in rank (see section 6.3.8).

6.3.7.12 Early Tenure

The length of the mandatory probationary period is established at the time of the initial appointment, but may be changed as provided in UWS 3.04, (1). “Early” tenure is considered to be the granting of tenure before completion of the maximum probationary period. Faculty at the rank of assistant professor may not be promoted to associate professor without a positive decision on tenure (either at or before the completion of the maximum probationary period).

(1) A faculty member who wishes to apply for an early tenure decision must present a written request for the early decision to the department chair or equivalent by the end of the semester prior to the academic year during which the decision is to be made.

[Bylaws Part III, Article VI, Section 2 (subsection “a”); Article VI, Section 6 (last sentence of subsection “b”); and Article VIII, Section 1 (subsection “b”)]

Section 2- Before Completion of the Maximum Period

(2) a. The granting of tenure before completion of the maximum probationary period (that is, less than seven years, including any years granted toward tenure) may be recommended by a department the appropriate RTRB only on the affirmative vote of at least four-fifths of the tenured members membership of the discipline as specified in Section 1. RTRB. In disciplines with fewer than three tenured members, the granting of such tenure may be recommended only by a vote of at least four-fifths of the tenured members of the discipline and tenured members of the department review body. In the event that there are fewer than three tenured members in the probationary faculty member's discipline (as specified in Section 1) and the department review

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body, the granting of such tenure may be recommended only by a vote of at least four-fifths of the tenured members of the department (See also section 6.3.4.5 (2) “Establishment of the Renewal and Tenure Body” and section 6.3.7.7 “Voting Procedures.”)

[Article VI, Section 6 (last sentence of subsection “b”)] If a decision or recommendation is made not to grant tenure before the completion of the maximum probationary period, the decision or recommendation shall, at the faculty member's request, be reconsidered, but that faculty member shall not be granted the formal appeal privileges set forth in the aforementioned article.

[Article VIII Section 1 (subsection “b”)] Rights of Faculty Aggrieved by an Adverse Decision Concerning Rank, Salary, or Tenure before the Completion of the Maximum Probationary Period

b. A faculty member aggrieved by an adverse decision concerning tenure before the completion of the maximum probationary period shall be entitled upon his or her request to a reconsideration by the review body (tenured members of the department or its functional equivalent, or college RST Committee) making the initial adverse decision. The reconsideration shall be scheduled at the earliest practicable time. Such a faculty member shall also be entitled (a) to a postponement of any review action scheduled at a higher level until the reconsideration at the lower level has taken place, and (b) to prompt notice of the results of any reconsideration. A faculty member aggrieved by an adverse decision concerning tenure before the completion of the maximum probationary period is not entitled to the formal appeals procedure of the Appeals Commission outlined in Section 3 of this article. The Chancellor is the court of last appeal.

(3) If a faculty member’s request for early tenure is denied, the faculty member may request a reconsideration. The faculty member may not request an appeal or an additional early tenure consideration prior to the end of the mandatory probationary period established at the time of initial appointment.

(4) Denial of early tenure shall not prejudice action on the tenure decision to be made at the completion of the mandatory probationary period established at the time of the initial appointment.

6.3.7.13 Tenure upon Appointment

Faculty with outstanding credentials may be granted tenure at the time of the initial appointment. The granting of tenure upon appointment may be recommended by the appropriate RTRB only on the affirmative vote of at least four-fifths of the membership of the RTRB. (See also section 6.3.4.5 (2) “Establishment of the Renewal and Tenure Body” and section 6.3.7.7 “Voting Procedures.”) There must also be an affirmative decision by the chancellor.

The form used for initial appointment and tenure as well as all evidence required for making a tenure decision must accompany such a recommendation. The recommendation of the RTRB should be reviewed by the dean and the provost before being forwarded to the chancellor.

6.3.7.14 Circumstances That May Delay Tenure Decision

A leave of absence, sabbatical or a teacher improvement assignment does not constitute a break in continuous service and shall not be included in the 7-year period under UWS 3.04 (1).

Circumstances in addition to those identified under UWS 3.04 (2) [leave of absence, sabbatical or a teacher improvement assignment] that do not constitute a break in continuous service and that shall not be included in the 7-year period include responsibilities with respect to childbirth and adoption, 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. The request shall be made in writing. It shall be presumed that a request made under this section because of responsibilities with respect to childbirth or adoption shall be approved. According to state statutes, a request for additional time "shall be made before a tenure review commences under s. US 3.06 (1) (c)."

- (a) A request for additional time because of responsibilities with respect to childbirth or adoption shall be initiated in writing by the probationary faculty member concerned and shall be submitted to the chair or academic unit head, who will forward it with a recommendation to the dean, who will forward it with a recommendation to the provost for approval. The provost shall specify the length of time for which the request is granted. The request should state the reason for the exception, and state the beginning date and the ending date of the leave. Final approval and notification shall be made by the chancellor.
- (b) Except for a request because of responsibilities with respect to childbirth or adoption, a written request made because of other circumstances under this section shall be submitted to the chair or academic unit head, who will forward it with a recommendation to the dean, who shall forward it with a recommendation to the provost for approval. The provost shall specify the length of time for which the request is granted. The request should state the reason for the exception and state the beginning date and the ending date of the leave. Final approval and notification shall be made by the chancellor. A denial of a request shall be in writing by the chancellor and shall be based on clear and convincing reasons.
- (c) More than one request may be granted because of responsibilities with respect to childbirth or adoption. More than one request may be granted to a probationary faculty member but the total, aggregated length of time of all requests, except for a request because of responsibilities with respect to childbirth or adoption, granted to one probationary faculty member ordinarily shall be no more than one year.
- (d) If additional time is needed, the approval process must be reinstituted.
- (e) The department chair shall notify the tenured faculty members that the leave has been approved and does not constitute a break in service. The chair does not need to notify the tenured faculty members as to the reason for the request.
- (f) If any faculty member has been in probationary status for more than 7 years because of one or more of the reasons set forth in this section, the faculty member shall be evaluated as if he or she had been on probationary status for 7 years.

[Bylaws Part III, Article VI, Section 5]

Section 5 Granting of Tenure to Department Chairs, Deans and Other Administrative Faculty
6.3.7.15 Tenure of Administrators

All recommendations concerning the granting of tenure to department chairs, deans, and other administrative faculty shall originate with the department **(or its functional equivalent)** wherein the faculty rank is held and shall be based on academic achievement- **and experience.**

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Administrative candidates who may be offered tenure at the time of their hiring shall meet with the appropriate RTRB for the department or its functional equivalent in which they seek tenure during the campus interview process. In cases where the candidate might be considered for tenure in more than one department of its functional equivalent, the provost and/or chancellor shall identify, in consultation with the candidate, which department shall first consider the candidate for tenure.

To implement this policy, the chancellor informs the identified departments in writing that one, or more, of the candidates invited for campus interviews might potentially be tenured into their department. The chancellor also provides the department(s) with the following written information: (a) the curriculum vitae of the candidate(s); (b) a copy of the Faculty Handbook criteria on awarding tenure; (c) a copy of the criteria for considering tenure within the respective department; and (d) information about the potential impact of this hire on existing and future tenure-track positions in the department.

During the campus interview, the candidates meet with members of the identified department. Following that meeting, the tenured members of the department (or its functional equivalent) discuss the merits of the candidate relevant to the tenure criteria and forward a recommendation to the chancellor. The granting of tenure to administrators may be recommended by the appropriate RTRB only on the affirmative vote of at least four-fifths of the membership of the RTRB. (See also section 6.3.4.5 (2) "Establishment of the Renewal and Tenure Body" and section 6.3.7.7 "Voting Procedures.") There must also be an affirmative decision by the chancellor.

Prior to the administrator returning to the department, the chancellor and/or provost shall meet with the department chair to consider the appropriate assignment of responsibilities.

6.3.12 Nonrenewal of Probationary Appointments and Denial of Tenure

[Bylaws, Part III, Article VIII, Section 2]

~~[Article VIII] Section 2 Rights of Non-Renewed Probationary Faculty, Faculty Denied Tenure at the Completion of the Maximum Probationary Period, and Faculty Terminated Because of Fiscal Emergency~~

¹ If at any level of review, a decision is made not to renew a probationary faculty member's contract, or to deny tenure at the completion of the maximum probationary period, or to terminate a faculty member because of fiscal emergency, that faculty member is entitled to:

- a. notification of the adverse decision and applicable rules and procedures as soon as is practicable;
- b. written reason(s) for non-renewal or denial, provided the faculty member submits a written request for such notice within five calendar days of receiving the notification of the adverse decision (written reasons for non-renewal or denial shall become part of the faculty member's personnel file);

² e. a reconsideration by the review body (or the tenured members of the department or its functional equivalent) initiating the adverse decision provided the request for reconsideration is submitted in writing within twenty calendar days of receipt of the reason(s) for non-renewal or denial, and

³ d. a postponement of any review action by a higher review body until such reconsideration has been undertaken by the lower review body.

⁴ Written notice of a non-renewal decision at either level of review constitutes proper notice of non-renewal as specified in UWS 3.07. If the affected faculty member requests a reconsideration in writing, he or she is further entitled to a ten-calendar-day advance notice of the reconsideration; [sic]

⁵ an opportunity to respond to the written reason(s) for non-renewal or denial of tenure;

6 and to present any written or oral evidence or arguments relevant to the decision

7; and to receive a written notification of the results of the reconsideration within five calendar days of the decision.

8 It is to be understood that the purpose of the reconsideration shall be to provide an opportunity for a fair and full re-examination of all the relevant factors and circumstances, so that every reasonable effort shall have been made to assure that the decision was a sound one. Reconsideration is not a hearing or an appeal, and shall be non-adversarial in nature.

9 If reconsideration results in a review body (or the tenured members of the department or its functional equivalent) reaffirming its adverse decision, the aggrieved faculty member may then initiate the formal appeal procedure set forth in Section 3 of this Article. If a reconsideration results in a college RST committee reaffirming its adverse recommendation, the aggrieved faculty member may then initiate the formal appeals procedure outlined in Section 3 of this article.

6.3.12.2 Reconsideration of Nonrenewal or Denial of Tenure

Section 1 Overview of Process

Statement of Reasons

1 Once a nonrenewal or denial of tenure notice has been received from the RTRB or the chancellor, the faculty member has the right to request and receive a written statement of reasons by the decision-maker. The written request for those reasons must be made within five days of receipt of the nonrenewal or denial of tenure notice. NOTE: The RTRB will not provide to the probationary faculty member under review any written reasons for a negative decision unless requested to do so by the probationary faculty member; if requested, the RTRB is required to provide reasons. The chair of the RTRB shall be responsible for ensuring that departmental policy is followed when written reasons have been requested.

If a written request for reasons is made, the statement of reasons must be provided to the faculty member prior to the reconsideration. The statement of reasons also becomes a permanent part of the individual's RST file.

⁵ Faculty members have the right to review their own RST file. Faculty members also have the right to make written responses to any statements in the file and to have those responses placed in their RST file.

Reconsideration

² The faculty member has the right to request a reconsideration by the decision-maker provided the request is submitted in writing within 20 days of receipt of the written reason(s) for nonrenewal or denial of tenure.

Any written request for reconsideration must be granted. The faculty member also has the right of access to all materials which may have a direct bearing on a presentation at the reconsideration meeting. Any reconsideration must be held within 20 days of receipt of the request for reconsideration, except that this time limit may be extended by mutual consent of the parties.

⁷ The faculty member must be informed in writing of the decision within five calendar days after the initial reconsideration meeting, except that this time limit may be extended by mutual consent of the parties.

⁴ Written notice of a nonrenewal decision at either level of review (RTRB or chancellor) constitutes proper notice of nonrenewal as specified in UWS 3.07. If the affected faculty member requests a reconsideration in writing, he or she is further entitled to a ten-calendar-day advance notice of the reconsideration.

³ Review at the next appropriate level is postponed until the reconsideration at the lower level has been concluded.

If reconsideration results in a decision favorable to the faculty member, the reconsideration decision supplants the original, and the positive recommendation is sent forward to the next appropriate level.

⁹ If reconsideration affirms the initial decision made at the department level, the faculty member may either drop the matter or proceed to an appeal (see section 6.3.12.3). Exception: If the faculty member has been denied tenure before the completion of the maximum probationary period, he or she does not have the right to the formal appeal procedures outlined in section 6.3.12.3

Section 2 Reconsideration Proceedings

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(a) It is to be understood that the purpose of the reconsideration shall be to provide an opportunity for a fair and full re-examination of all the relevant factors and circumstances, so that every reasonable effort shall have been made to assure that the decision was a sound one. Reconsideration is not a hearing or an appeal, and shall be non-adversarial in nature.

(b) Reconsideration by the RTRB or the chancellor shall be completed and the faculty member informed in writing of the decision within five calendar days after the initial reconsideration meeting. This period can be extended upon mutual consent of the faculty member and the RTRB or the chancellor if extenuating circumstances exist.

(c) The faculty member requesting reconsideration shall have the right to be counseled by any person(s) of choice. [In cases where there are multiple counselors, the convening party (whether the RTRB or the chancellor) may restrict discussion of each major issue to a single counselor. Determination whether more than one counselor should address an issue should be a procedural and unappealable determination of the RTRB or the chancellor.]

(d) Reconsideration meetings shall be properly noticed and conducted according to 19.85 Wis. Stats. (see 6.2.1 “Wisconsin Open Meetings Law”). The faculty member being reconsidered may request that the meeting be held in open session. Members of the public attending an open meeting shall not have the right to participate in the proceedings.

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(e) The faculty member requesting reconsideration shall be given the opportunity to present his or her statements in writing prior to the initial meeting. The faculty member requesting reconsideration shall also be invited to appear before the RTRB or the chancellor to present further oral evidence germane to the decision.

(f) The RTRB and the chancellor as well as the faculty member involved in the reconsideration proceedings shall have access to all documents used to make the nonrenewal or denial of tenure decision.

(g) Audio recordings shall be made of all reconsideration meetings, with copies available at no cost to the faculty member. The provost’s office shall keep this recording along with other documents pertaining to the proceedings.

(h) The chairperson of the RTRB or the chancellor shall prepare a report that identifies the time, date, and location of the meeting, along with an identification of those present at the meeting. This report shall identify the evidence that was reviewed and considered. The report shall

also include a written decision on the request for reconsideration of the decision as well as the rationale in support of that decision. Copies of this report shall be filed with all concerned parties and added to the faculty member's personnel file.

- (i) If reconsideration affirms the original decision, that reconsideration process ends. The faculty member requesting reconsideration of a nonrenewal decision or a denial of tenure at the completion of the maximum probationary period has the right to appeal under the provisions of section 6.3.12.3.

[NOTE: If the faculty member has been denied tenure before the completion of the maximum probationary period, he or she does not have the right to the formal appeal procedures outlined in section 6.3.12.3.]

- (j) If reconsideration causes the RTRB or the chancellor to change their decision, the prior decision is rescinded, and the decision in favor of renewal or tenure shall be advanced through the decision-making process. In these instances, each review level shall take action on the matter as soon as possible after receiving the file so as to restore the normal decision-making timeline. All of the provisions for action and consequences of renewal and tenure decisions shall be as if a nonrenewal or denial of tenure decision had not taken place.
- (k) The provost shall be the custodian of the minutes and reports of all levels of review involved in the reconsideration process. All documents shall be kept in a file, separate from the personnel files. The faculty member shall have access to review the contents of this file and may request copies of any documents or materials.

[Bylaws Part III, Article VIII, Section 3]

¹
Article VIII Section 3 Formal Appeal Procedures

After the reconsideration procedures outlined in Section 2 of this article have been followed, a faculty member still aggrieved may initiate a formal appeal procedure. The aggrieved faculty member may then submit a written notice of intent to appeal to the Appeals Commission (cf., the Faculty Bylaws Part II, Article III, Section 6), provided that he or she does so within twenty calendar days of the notice of the last adverse action (25 calendar days if notice is by first class mail or publication).

²

The aggrieved faculty member is advised to prepare documentation in support of the appeal as soon as he or she notifies the Appeals Commission of his or her intent to appeal. The faculty member is also advised to submit all documentation to the chair of the panel of the Appeals Commission prior to the hearing.

³ The burden of proof in such an appeal shall be on the faculty member.

⁴ The Appeals Commission hearing shall not be held later than twenty calendar days after the faculty member's request for such a hearing, except that this time limit may be extended by mutual consent of the parties, or by order of the Appeals Commission. The faculty member shall be given a ten calendar day notice of the time of the hearing.

⁵ The scope of the review shall be limited to the question of whether the decision was based in any significant degree upon one or more of the following factors, with material prejudice to the individual:

a. conduct, expressions, or beliefs which are constitutionally protected or protected by the principles of academic freedom,

b. factors, proscribed by applicable state or federal law, regarding fair employment practices, or

c. improper consideration of qualifications for reappointment or renewal. For purposes of this section, A improper [sic] consideration shall be deemed to have been given to the qualifications of a faculty member in question if material prejudice resulted because of any of the following:

i. the procedures required by the Faculty Bylaws or the Board of Regents were not followed,

ii. available data bearing materially on the quality of performance were not considered,

iii. unfounded, arbitrary, or irrelevant assumptions of fact were made about work or conduct.

⁶ If the Appeals Commission finds that the recommendation to deny tenure made by the tenured members of the deparment [sic] or its functional equivalent was affected by impermissible factors as outlined in UWS 3.08, the aggrieved faculty member may then request the appointment of a committee to review the faculty member's record with reference to criteria for tenure as provided in '36(13) Wisconsin Statutes. Such a request will be made to the chair of the Faculty Senate.

7 The executive committee of the Faculty Senate, or a committee appointed by the Faculty Senate, shall establish a five member committee which shall have at least three faculty members from UW Platteville. This committee may also have members appointed from outside the institution.

8 No person may be appointed to this committee unless the person is knowledgeable or experienced in the individual's academic field or in a substantially similar academic field. No member of this committee may be a member of the academic department, or its functional equivalent, that has made the negative recommendation.

9 The committee appointed under this subdivision may not base its tenure recommendation upon impermissible factors, as defined by the Board of Regents rule.

10 The executive committee shall appoint a chair of the committee.

11 The chair must be a member of the UW Platteville faculty.

12 This committee shall review the aggrieved faculty member's record and make a recommendation to either grant the faculty member tenure or to not grant the faculty member tenure. The committee shall forward its recommendation to the Chancellor.

The Appeals Commission reporting procedures shall be followed as set forth in the Faculty Bylaws, Part III, Article II, Section 6.

6.3.12.3 Appeal of Nonrenewal or Denial of Tenure

Section 1 Applicable Documents

A faculty member contemplating an appeal after having received notice of nonrenewal or denial of tenure is advised to become familiar with

- the appropriate departmental personnel rules and procedures;
- the appropriate sections of the Wisconsin Administrative Code, the UW System faculty personnel rules; and
- related documents in this handbook.

Section 2 Counsel

A faculty member contemplating an appeal may wish to seek advice from senior faculty or legal counsel familiar with the policies and procedures. The right to invite and seek council from an individual (or individuals) of the faculty member's choice during any hearing is guaranteed under these procedures.

Section 3 Burden of Proof and Scope of Appeals

Burden of Proof

³ The burden of proof in an appeal of nonrenewal or denial of tenure is on the faculty member.

Scope of Appeals

⁵ The scope of the appeal shall be limited to whether material prejudice to the individual resulted because the decision was based in any significant degree upon:

- conduct, expressions, or beliefs which are constitutionally protected, or protected by the principles of academic freedom; or
- factors proscribed by applicable state or federal law regarding fair employment practices; or
- improper consideration of qualifications, which shall be deemed to have occurred if material prejudice resulted because:
 - procedures required by the faculty or Board were not followed; or
 - available data bearing materially on the quality of performance were not considered; or
 - unfounded, arbitrary, or irrelevant assumptions of fact were made about work or conduct (see UWS 3.08 in section 6.3.12.1).

Section 4 Time Limits

Termination of Appeal

Failure to meet any time limits established by these procedures will likely end the proceedings. A faculty member considering an appeal of nonrenewal or denial of tenure is urged to review these procedures and to act promptly.

Length of Process

The time limits are intended to ensure action within a reasonable time period; nevertheless, the appeal process may be lengthy. The deliberative process in particular may take several months to conclude: the issues are significant; there is no limit on the number of deliberative sessions which may be held; and there is no limit on the length of the recesses which may occur between sessions.

Action on Nonrenewal or Denial of Tenure

The university will proceed on a nonrenewal or denial of tenure decision even if an appeal is in progress in order to meet obligations to provide adequate notice of nonrenewal as prescribed in UWS 3.09. Written notice of a nonrenewal decision at either level of review constitutes proper notice of nonrenewal as specified in UWS 3.09.

Section 5 Presence at Meetings

No Exclusions

Under the provisions of 19.89 of the Open Meetings Law, no member of a governmental body may be excluded from any meeting of that body. In addition, no member may be excluded from meetings of the body's subunits unless the rules of the parent body specifically state otherwise.

Right to Open Meeting

A probationary faculty member has the right to request and receive an open meeting for any meeting of a department, or unit, or subunit involving an evidentiary hearing or final action on consideration of tenure for that individual, even when departmental policies provide that subunit or committee meetings be restricted to members of the subunit or committee.

NOTE: A meeting with an administrator for the purpose of performance evaluation, even where the end result of the discussion will be a recommendation on renewal or the granting of tenure, is not subject to the provisions of the Open Meetings Law: an individual administrator is not a "formally constituted subunit." 19.85 Wis. Stats.

Section 6 Rules and Procedures

Filing an appeal

¹ Upon receipt of written notification that nonrenewal or denial of tenure at the completion of the maximum probationary period was affirmed in the reconsideration, the faculty member has 20 days in which to request a hearing by the Appeals Commission (25 days if notice is by first class mail or publication). An aggrieved faculty member who does not exercise his or her right to reconsideration still retains the right to appeal a nonrenewal or denial of tenure.

- Failure to meet the 20 day deadline is presumptively likely to end the appeal.
 - The request must be in writing and addressed to the chairperson or convener of the Appeals Commission.
- The request should provide a historical resume of all actions taken to this point and must state clearly and specifically the precise foundation on which the appeal is to be based.
 - UWS 3.08 details the acceptable bases for an appeal (see section 6.3.12.1).

A faculty member may withdraw the appeal at any time. Upon receipt of a written request to withdraw an appeal, the chair of the appeal panel shall forward a copy of the request and the file to the dean. Such withdrawal terminates consideration of the faculty member's application for renewal or tenure. The dean will return the file and any attached materials to the appellant.

Notification

The chairperson of the appeal commission will review the request for an appeal. If the chairperson determines that the appellant holds a faculty appointment, the chairperson will:

- provide written notification of the request for hearing to the provost so System legal counsel may be advised a case is pending;
- begin a file of all correspondence concerning the appeal, which will be passed on to the chairperson of the appeal panel;
- provide written notification to the chairperson of the appellant's renewal and tenure review body, the department chairperson, the dean, the provost, the chancellor, and the chairperson of the Faculty Senate that an appeal is in progress; and
- provide copies of all correspondence to the
 - appellant;
 - appeal panel; and
 - the members of the RTRB.

Appointment of an Appeal Panel

An appeal panel of five members shall be selected by the Appeals Commission to hear a particular case (see section 4.2 “The Faculty Bylaws” of this handbook; specifically, Part II, Article III, Section 6 “Appeals Commission” of the Faculty Bylaws).

Appeal Date

⁴ The appeal panel must meet to hear the matter within 20 days of receipt of the request for an appeal, except that this time limit may be extended by mutual consent of the parties or by order of the appeal panel. The faculty member requesting a hearing must receive 10 days notice of the hearing.

Appeal Panel Chairperson’s Responsibilities

Once the appeal panel is appointed, the chairperson of the panel assumes responsibility for the appeal process. The chairperson must:

- conduct the hearing under the provisions of UWS 3.08, these policies and procedures, and the guidelines for appeal hearings (which may be found in section 7 of 6.3.12.3);
- establish appropriate communication with the appellant, the chairperson of the appellant’s renewal and tenure review body, the department chairperson, the dean, the provost, and the chancellor, and keep each informed of the proceedings in the appeal;
- keep records of all correspondence among all the principals from the initiation of the appeal through its conclusion;
- appoint a secretary for the appeal panel and provide for a verbatim transcript of the hearing (usually a sound recording);
- secure appropriate facilities, schedule evidentiary hearings, and provide notices to conform with the Open Meetings Law;
- secure appropriate facilities and schedule and conduct deliberative sessions in which the panel formulates its findings and recommendations;
- distribute materials as necessary;
- prepare the written report of the panel’s findings and recommendations and transmit the panel’s report to the chancellor and other appropriate parties;
- send a copy of the appeal hearing procedures with each written notification of the hearing, and send written notification (see below) of the appeal hearing to the appellant,

the decision-maker(s), other involved individuals, and witnesses asked to appear on behalf of the parties or called by the appeal panel.

Written notification of the appeal hearing must include statements

- of the date, time, and place of the hearing;
- that all parties may be represented by an individual(s) of their choice, which may include legal counsel;
- that normally, by a vote of the appeal panel, the evidentiary hearing and the deliberative sessions will be closed but the appellant, upon timely written request to the chairperson, has the right to request an open evidentiary meeting. Any such request in the case of an appeal of denial of tenure shall be honored.
- of whether the evidentiary hearing and the deliberative meeting will be closed or open;
- that both parties have a right to copies of all documentary evidence relevant to the appeal;

- ² that all parties, including witnesses, are expected to provide to the appeal panel chairperson sufficient copies of their documentary evidence for all other parties, and that these materials should be provided in sufficient time prior to the hearing for distribution to all parties, but that failure to provide such copies will not preclude an individual from giving testimony;

- that either party may call persons to offer evidence or testimony;
- that both parties will be sent a list of the names of any persons to be called by either party, or by the appeal panel;
- that either party may offer testimony from any source;
- that the appeal panel is not bound by statutory rules of evidence but may hear testimony having reasonable probative value;
- that adjournments will be granted to enable either party to investigate evidence as to which a valid claim of surprise is made;
- that the appellant has the right to a verbatim record of the hearing, which may be a sound recording, at no cost;
- that any personal notes made during the procedures and retained by a participant are subject to subpoena if the appeal is not resolved at the institutional or System level and becomes a legal matter;
- that a quorum for the evidentiary hearing consists of four members of the appeal panel;
- that a quorum for the deliberative sessions consists of four members of the appeal panel, except that in an emergency, the chairperson may declare a quorum when only three members are present;
- that the burden of proof as to the validity of the appeal is on the appellant; and

- that the appeal panel will give written statements of its findings and recommendations to the chancellor, provost, appropriate dean, department chairperson, appellant, and decision-maker(s).

Communication between the appeal panel and the appellant

All communication concerning an appeal by the appellant should be directed to the chair of the appeal panel and be limited to issues of policy and procedure. The appellant may not seek general advice or counsel from any member of the appeal panel at any point in the appeal process.

Section 7 Appeal Proceedings

Quorum

While all five members will be present whenever possible, a quorum for the appeal hearing and for meetings of the appeal panel consists of four members of the committee. In an emergency, the chairperson of the appeal panel has the discretion to declare a quorum for deliberative sessions when only three members of the appeal panel are present.

Notice

Notices of meetings must be posted in a public forum (without identifying the appellant) and must indicate whether the meetings will be open or closed.

Confidentiality

All matters related to the appellant and the appeal are maintained in the strictest confidentiality by appeal panel members, except as may be necessary to meet provisions of the Open Meetings Law or other similar statutory, administrative rule, or faculty governance requirements.

Following the conclusion of all deliberations and the submittal of the appeal panel's report, the chairperson will collect all drafts and other documents related to the appeal from the members of the panel, from any appointed secretary, and from all other parties except the appellant and the appellant's representative(s). All minutes and materials provided by the parties and not forwarded to the chancellor as a part of the report will be sealed and filed in the office of the chancellor for a period of five years, after which they will be destroyed as permitted under the Public Records Law.

[NOTE: Participants are reminded that any personal notes made during the procedures and retained after the appeal hearing are subject to subpoena if the appeal is not resolved at the institutional or System level and becomes a legal matter.]

Evidentiary and Deliberative Sessions

The appeal process consists of an evidentiary hearing and a deliberative meeting.

The purpose of the evidentiary hearing is to determine the facts of the situation. Both parties may provide evidence at the evidentiary hearing and both parties have the right to be counseled by another individual(s), which may be legal counsel. The appeal panel is not bound by legal rules of evidence. The burden of proof is on the appellant.

The purpose of the deliberative meeting is for the appeal panel to reach its conclusions, after which the chairperson of the appeal panel will write a draft report of the findings and recommendations of the appeal panel. Each member of the appeal panel must sign the final report or file a dissent. The report will be distributed within 10 days of the close of deliberations.

Closed and Open Sessions

Evidentiary hearings and deliberative meetings must be conducted according to 19.85 Wis. Stats. (see 6.2.1 “Wisconsin Open Meetings Law”). The evidentiary meeting on an appeal of a tenure denial will be open if requested by the appellant. Closed meetings require a majority vote of the hearing committee by a roll call vote.

If the evidentiary hearing is closed, only parties directly involved in the appeal (exclusive of the audio technician) may attend. Those permitted to attend, who may speak when recognized by the chairperson for that purpose, are

- members of the appeal panel;
- the appellant;
- members of the RTRB;
- representatives for the parties;
- witnesses for the parties;
- individuals specifically called or designated by the appeal panel, which may include legal counsel; and
- an appointed secretary, who need not be a member of the panel.

If the evidentiary hearing is open, anyone may attend but only those parties directly concerned with the appeal and recognized for the purpose of speaking by the chairperson of the hearing committee are permitted to speak.

Procedure for Evidentiary Hearing and Deliberative Meeting

The chairperson of the appeal panel convenes the hearing and serves as presiding officer. The chairperson assumes all the normal responsibilities of a committee chairperson and rules on such questions as may arise on the procedure of the hearing, admissibility of evidence, and all other matters related to the hearing.

The evidentiary hearing normally proceeds in the order described here, but the chairperson may change the order and procedures as circumstances may require.

- Call to order; introduction of members of the panel and of the secretary.
- Explanation of the Open Meetings Law and either

- explanation of limitations of open meetings, if an open meeting has been requested, or
 - a request for a motion to close the meeting under the appropriate section(s) of 19.85 Wis. Stats. [19.85 (a), (b), (c), or (f)], and a roll call vote on the motion.
- Introduction of the appellant, and the appellant's representative(s), if any.
- Introduction of the decision-maker(s), and the decision-maker's representative(s), if any.
- Presentation of the appeal by the appellant or the appellant's representative.
- Presentation of witnesses on behalf of the appellant.
- Questions of appellant and appellant's witnesses by members of the appeal panel.
(Questions of the appellant and appellant's witnesses by the decision-maker or the decision-maker's representative should be addressed to the chair of the appeal panel.)
- Presentation of all relevant materials by the decision-maker or by the decision-maker's representative.
- Presentation of witnesses on behalf of the decision-maker.
- Questions of decision-maker and decision-maker's witnesses by members of the appeal panel.
(Questions of the decision-maker or the decision-maker's witnesses by the appellant or the appellant's representative should be addressed to the chair of the appeal panel.)
- Presentation by any witnesses who may have been called by the appeal panel and questions of these witnesses by members of the appeal panel.
(Questions of the appeal panel's witnesses by the appellant, the appellant's representative, the decision-maker or the decision-maker's representative should be addressed to the chair of the appeal panel.)
- Additional questions, if any, of witnesses by members of the appeal panel.
- Rebuttal or closing comments by the decision-maker or the decision-maker's representative.
- Rebuttal or closing comments by the appellant or the appellant's representative.
- Conclusion of the evidentiary hearing.
If the deliberative meeting does not follow immediately after the evidentiary hearing, the chairperson will request a motion to recess the hearing and to reconvene at the deliberative meeting (if possible, the date and time of the session will be included in the motion to recess), and will conduct a roll call vote on the motion.

The appeal panel deliberates on the appeal and writes a report which includes the findings and recommendations of the panel.

Findings

As noted in section 3 “Burden of Proof and Scope of Appeals” (see above), a finding that the facts are as described by the appellant is not, by itself, enough to find that the appeal is valid. The facts must support the contention that at least one of the factors described under UWS 3.08 entered into the decision to a significant degree and with material prejudice to the appellant.

The burden of proof is on the appellant to provide evidence that at least one impermissible factor entered into the decision to a significant degree and with material prejudice to the appellant.

Decision Upheld

If the committee finds for the decision-maker, it recommends the appeal be denied, and the appeal is ended.

Decision Rejected

If the committee finds for the appellant, it makes its recommendations for remedy as follows:

Recommendations for Remedy

All cases under UWS 3.08 must be remanded for reconsideration by the decision-maker(s) unless the appeal panel specifically finds that a remand would serve no useful purpose. If the appeal panel finds a remand would serve no useful purpose, the reasons for this finding must be included in the appeal panel’s final report.

Even if it remands the matter, the appeal panel retains jurisdiction until it is satisfied that the appellant’s rights have not been violated.

Possible Remedies for a Nonrenewal

If the committee finds that an appeal of a decision for nonrenewal is valid, possible remedies include, but are not limited to:

- reconsideration by the RTRB;
- reconsideration by the RTRB under instructions from the committee; or
- a recommendation to the chancellor.

Possible Remedies for a Denial of Tenure.

⁶

If the committee finds that an appeal of a denial of tenure is valid, possible remedies include, but are not limited to:

- reconsideration by the RTRB;
- reconsideration by the RTRB under instructions from the committee; or
- where the committee specifically finds that impermissible factors were used as a basis for denial and that no useful purpose would be served by a remand for reconsideration, a recommendation that a special ad hoc credential review (“Notestein”) committee (Wisconsin Statutes 36.13 (2) (b)) be convened to provide an independent recommendation for tenure (see section below “Notestein Provisions” for procedures and findings).

In cases of an appeal of a tenure decision made by a renewal and tenure review body, if the appeal panel directs that an ad hoc credential review committee be formed, the appeal panel chair shall forward all materials to the Faculty Senate Chair, including any materials to be considered by the ad hoc committee.

Report

At an appropriate time in the deliberations, the chairperson recesses the meeting and prepares a draft report. The draft is circulated among the members, after which the panel reconvenes to review the draft and make appropriate modifications. After the report has been adopted by the appeal panel, each member of the panel signs the report or files a dissent.

- The report shall be adopted by a majority of the members of the appeal panel. The vote shall be a roll call vote, which shall be recorded.
- The report shall be distributed not later than 10 days following the close of deliberations.
- The chairperson provides a verbatim record of the hearing and a copy of the report to the faculty member, and a copy each of the report to the chancellor, the provost, the appropriate dean, the department chairperson, and the chairperson of the renewal and tenure review body.

Notestein Provisions

This section applies to an appeal of denial of tenure at the completion of the maximum probationary period that originated in an academic department (or its functional equivalent). After following the procedures listed above (i.e., after the matter has been remanded by the appeal panel for reconsideration—with or without restrictions—or after making a finding that such a remand would serve no useful purpose), if the appeal panel finds that the denial of tenure

continues to be based on impermissible factors (as listed under UWS 3.08(1)), the following procedures shall apply:

(1) The report of the appeal panel to the chancellor must include a specific finding that one or more impermissible factors were considered by the academic department (or functional equivalent) in reviewing the credentials and in forming the recommendation that denied tenure.

- The report shall also list, identify and discuss the specific impermissible factor(s), as found by the appeal panel.
- On the basis of these findings, the appeal panel's report shall also recommend to the chancellor the formation (as set forth below) of an ad hoc or "Notestein" committee to make a recommendation on tenure as a substitute for the recommendation originally offered by the department (or functional equivalent).
- Recognizing the importance of resolving any pending appeal, the chancellor and the involved faculty are properly expected to devote the time required to bring this further review to an expeditious resolution.

(2) The chancellor shall approve all recommendations from appeal panels to form an ad hoc credential review committee. In these instances, the chancellor shall also inform the probationary faculty member of the specific actions that are to follow as provided under these rules.

(3) Upon receiving copies of the chancellor's action on the report of the appeal panel,

^{7/10} the Executive Committee of the Faculty Senate, or a committee appointed by the Faculty Senate, shall appoint an ad hoc committee and chair

to independently review the credentials of the concerned faculty member.

- ⁷ The ad hoc committee shall have five members, including the chair, with at least three faculty members from UW-Platteville. The committee membership may include faculty appointed from outside the institution.

¹¹ The chair must be a member of the UW-Platteville faculty.

- ⁸ No person may be appointed to this committee unless the person is knowledgeable or experienced in the academic field of the concerned faculty member or in a substantially similar academic field (per section 10 36.13(2)(b)3., stats.). No member of this committee may be a member of the academic department, or its functional equivalent, that has made the negative recommendation (per section 36.13(2)(b)3, 5 stats.)

(4) The ad hoc committee shall review the aggrieved faculty member's file, or, at the choice of the aggrieved faculty member, a revised file that contains all materials submitted to the RTRB at the time of the original decision, including the independent evaluation made by the department chair and the dean, but that excludes any evaluation by the RTRB on the matter of tenure and any materials relating to the appeal. This provision does not extend, change, or modify the original probationary period in that performance data beyond the time of the decision of the initial level of review shall not be considered or allowed. The ad hoc committee shall use the criteria for tenure as established by the department and the university.

- ⁹ The ad hoc committee shall not base its tenure recommendation upon impermissible factors, as defined by UWS 3.08(1).

- ¹² Within 20 working days after appointment, unless the time is extended for cause by order of the provost, the ad hoc committee shall send its recommendation concerning tenure for the aggrieved faculty member to the following individuals and offices: the chair of the appeal panel, the chair of the committee that made the initial decision of denial of tenure, the appropriate chairperson, the appropriate dean, the chair of the Faculty Senate, the provost, and the chancellor.

(5) a. If the ad hoc committee recommends the **denial of tenure**, the chancellor will inform the faculty member of that decision to deny tenure. In this instance, the faculty member will be afforded an opportunity to request the reasons for the decision, and to pursue reconsideration of the decision through discussions with the ad hoc committee in a manner consistent with the general framework set forth in these rules.

If the ad hoc credential review committee, either initially or upon reconsideration, makes a negative decision, the appellant is, upon written application to the chair of the ad hoc credential review committee, allowed to copy all documents, transcripts and audio recordings possessed by the ad hoc credential review committee. In the case of a negative decision by the ad hoc credential review committee, the chancellor may not recommend that the Board of Regents grant tenure.

b. If the ad hoc committee recommends that tenure be granted, that recommendation shall have the force and status of the initial recommendation from the renewal and tenure review body, and the chancellor subsequently may recommend to the Board of Regents that a tenured appointment be granted without a concurring recommended action from the appellant's academic department(s) or functional equivalent. The Chancellor's decision is final (UWS 3.08, (3)). Such action is in accord with Wis. Stats. 36.13 (2) (b).

If the chancellor decides to recommend a grant of tenure, the chancellor shall include in his or her written recommendation to the President of the University of Wisconsin System a summary of the original findings of impermissible factors and a specific notation that the recommendation for tenure was made by the ad hoc committee acting as a substitute for the department (or functional equivalent).

The campus administration shall be financially responsible for legitimate travel expenses incurred by the ad hoc credential review committee members who come from other institutions. Reimbursement shall be limited to transportation, lodging, and meals.

[Bylaws Part III, Article X]

~~Article X~~ **6.3.13 Dismissals**

All procedures for dismissal for cause are set forth in UWS 4. The **standing** committee charged with hearing dismissal cases mandated in UWS 4, shall be the Appeals Commission (see the Faculty Bylaws, Part II, Article III, Section 6). In a dismissal case, if the ~~Chancellor~~ **chancellor** is advised that a faculty member should be suspended from his or her duties, pending the outcome of the case, he or she shall consult the Executive Committee of the Faculty Senate before taking such action. **(see also section 9.4).**

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[Bylaws Part III, Article XI]

~~Article XI~~ **6.3.14 Faculty Terminated Because of Fiscal Emergency**

The procedures for all faculty who are terminated because of fiscal emergency are set forth in UWS 5. The hearing committees mandated in UWS 5.11 shall be the Appeals Commission (see the Faculty Bylaws, Part II, Article III, Section 6). Seniority in matters of termination shall be by rank, and within rank, according to the total years of service to the local university. **(see also section 9.5).**

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commission within twenty calendar days of the written submission of the grievance to the commission chair. The colleague or colleagues against whom the grievance is lodged are entitled to at least a ten-calendar-day notice of all hearings related to the case. All parties are due as prompt a resolution of the matter as practicable.

~~Section 3~~ **6.3.16.4** Reporting Procedures

Reporting procedures are outlined in the Faculty Bylaws, Part II, Article III, Section 7.

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