

**Minutes of the UW System Board of Regents
Education Committee Meeting on
November 10, 2016**

Regent Whitburn convened the meeting of the Education Committee on Thursday, November 9, 2016, at 9:05 a.m. Regents Evers, Farrow, Higgins, Klein, Langnes, Manydeeds, Petersen, and Tyler were present.

Committee Actions

The Education Committee unanimously adopted the October 6th, 2016 Minutes and the following resolution:

[Resolution I.1.b], approving the Post-Tenure Review Policy at UW-La Crosse.

There was no report of the Vice President at this meeting because it was an additionally scheduled (non-regular) meeting for the purpose of Board of Regents consideration of an institution's post-tenure review policy in alignment with Regent Policy Document 20-9, approved on March 10, 2016.

At a late October meeting with the UW System Chancellors, President Cross communicated to the chancellors about an additional required level of review of a faculty rating by a Dean. He announced then that it was his intention not to advance to the Education Committee any post-tenure policies without that review level built into the policy.

General Counsel Stafford confirmed that the UW-La Crosse Post-Tenure Review Policy comported with the Regent policy, i.e. that it contained all 16 sections and provisions contained in the RPD 20-9, and that it had been thoroughly reviewed by faculty, legal staff, and Vice President Henderson, President Cross, and others.

In response to Regent Whitburn's question whether the UW-La Crosse policy might serve as a potential template for other institutions to use, Stafford replied that he had reviewed all institutions' initial drafts and that they were similar, so using the UW-La Crosse policy as a template was feasible.

Chancellor Gow noted that the UW-La Crosse policy was a product of collaboration and thanked Acting Provost Morgan and the UW-La Crosse Senate Executive Committee and Senate for their work. Gow acknowledged that the Faculty Senate did not endorse language relating to an additional level of administrative review of a professor's rating that was introduced as a requirement only recently by President Cross and Board leadership.

At UW-La Crosse, the respective Dean will conduct his or her own review and come to an independent conclusion on whether a faculty member does or does not meet expectations regardless of the faculty peer rating. Gow explained that this additional level of review by a Dean parallels the process to get tenure in first place, and that it is not an unreasonable step.

In response to Regent Whitburn's question whether the Chancellor viewed the policy as a fundamental threat to tenure, Gow replied that he did not. He said he relied on Provost Morgan and her strong support of shared governance and that the existing safeguards faculty have would still be in place. "Nobody can be let go without due process," said Gow. Faculty would have 1 1/2 years to fulfill the remediation plan, which he termed quite reasonable. "This is not the end of tenure, those who say this are overstating this quite dramatically."

Regent Whitburn ascertained that Provost Morgan was comfortable with the policy as written. Morgan noted that it was unfortunate that the need for an additional required administrative review was not expressed at the time of the original Regent policy approval. Regent Whitburn emphasized it was important to be sensitive to legislative intent.

Regent Evers expressed concern that the additional language regarding administrative review had not been approved by the UW-La Crosse Faculty Senate, noting that there were "real important issues, since the new provision had been added after approval of the Regent policy (20-9) in March." "Is this addition required by board action," he asked? Stafford responded that the addition requested by President Cross and Board leadership indeed is not in the current Regents policy.

Regent Tyler expressed his approval for the proposed UW-La Crosse policy because it protects faculty and noted that faculty appointments are different from private industry hiring process. Regent Klein also supported the policy and affirmed her perspective that students need to be at the center of every decision.

Finally, Regent Whitburn announced that the final deadline for submitting policies to the Board is now 12/31/2016. The Board will consider the introduction of an interim post-tenure review policy at its next meeting for those institutions that will not have their policies approved by the Board on time.

The Education Committee adjourned at 9:20 a.m.

Respectfully submitted by

Carmen Faymonville, Ph.D.
Staff to the Education Committee