

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM
UW-Parkside Student Center, 900 Wood Road, Kenosha, Wisconsin
Friday, October 5, 2018

9:00 a.m. – 9:15 a.m. Annual Regent Photo—1st Floor, Cinema, Student Center
A quorum of the Board of Regents may be present; no Board business will be conducted.

II. 9:15 a.m. All Regents – Ballroom A & B, Student Center

1. Calling of the roll
2. Approval of the minutes of the August 2018 meeting
3. Report of the President of the Board
 - a. Wisconsin Technical College System Board report
 - b. Additional items that the President may report to the Board
4. Report of the President of the System
 - a. Enrollment update
 - b. Student spotlight
 - c. News from around the System
 - d. Update on 2020FWD
 - e. Fund for Wisconsin Scholars
5. Report of the Research, Economic Development and Innovation Committee
6. Report and approval of actions taken by the Business and Finance Committee
7. Report and approval of actions taken by the Education Committee
8. Report and approval of actions taken by the Capital Planning and Budget Committee
9. Restructuring update
10. Personnel files and reference checks – implementation update
11. UW-Parkside Presentation: “Ranger Athletics: NCAA Division II and the Great Lakes Intercollegiate Athletics Conference – Unique Opportunities”
12. Resolution of appreciation to UW-Parkside for hosting the October 2018 meeting
13. Regent communications, petitions, and memorials

Adjourn

UW COLLEGES AND UW-EXTENSION RESTRUCTURING: OCTOBER 2018 PROGRESS REPORT

BACKGROUND

In October 2017, UW System President Ray Cross announced a proposal to restructure UW Colleges and UW-Extension, integrating UW Colleges campuses with UW four-year institutions, and assigning divisions within UW-Extension to UW-Madison and UW System Administration. The impetus for President Cross's restructuring proposal included declining enrollment projections due to Wisconsin's changing demographics, as well as the need for closer alignment between research and practice.

In November 2017, the Board of Regents approved President Cross's restructure proposal with a majority vote in favor of Resolution 10956. This resolution joined each of the UW Colleges' 13 campuses with a four-year UW System institution, and joined the UW-Extension's Cooperative Extension Division and the UW-Extension Conference Centers with UW-Madison. The remaining divisions within UW-Extension – the Division of Business and Entrepreneurship, the Division of Broadcasting and Media Innovations, and the Division of Continuing Education, Outreach, and E-Learning, as well as UW Colleges Online – were moved to UW System Administration.

Since that initial resolution, the Board of Regents, through its Executive Committee, approved additional restructuring actions. In January 2018, all UW institutions were authorized to offer the Associate of Arts & Sciences degree in the Online format effective July 1, 2018, as a Collaborative Online Degree Program. In addition, UW-Milwaukee was authorized to offer the Associate of Arts & Sciences degree in the Flex format. In February 2018, the Executive Committee approved moving Wisconsin Public Radio, Wisconsin Public Television, and UW-Extension's Department of Labor Education to UW-Madison, effective July 1, 2018.

At the Board's October meeting, Interim Vice President of Academic and Student Affairs Karen Schmitt and Vice President of Administration Rob Cramer will provide a progress report on key areas of the restructuring efforts.

REQUESTED ACTION

Information only.

DISCUSSION

On June 28, 2018, the Board of the Higher Learning Commission approved the UW System's January 2018 application for a change of structure within the UW System. The UW Colleges and UW-Extension restructuring project began the formal implementation of the restructuring on July 1, 2018. As outlined in the application, restructuring Phase 1 began on

July 1, 2018 and will end June 30, 2019. During this phase, the two-year branch campuses are now joined with the receiving four-year institutions. Many functions will continue to be provided centrally to ensure continuity of operations to students and employees in 2018-19. Each receiving institution now has an MOU in place to ensure that services to students, academic programs, governance, assessment processes, administrative oversight, financial allocations, and operational components of the transition are clearly outlined. The longer-term state of certain functions, such as human resources, information technology, and procurement, will be designed in 2019 as part of the Commitment to Operational Reform and Excellence (CORE) initiative and UW Shared Services program, both elements of the 2020*FWD* strategic framework.

Throughout the spring semester and during the summer, the planning and design phase of the project transitioned to the implementation stage guided by a detailed project management timeline developed collaboratively across the UW System. Functional planning teams, as well as multiple campus level teams, have been working diligently to meet these objectives. As of September 1, 2018, the following key transition activities have been accomplished:

- Student applications for admission to branch campuses for the 2019-20 academic year are going to their respective UW receiving institutions,
- Provision of services to the branch campuses is being administered under memoranda of understanding (MOUs); the first transfers of these service functions to the receiving institutions are underway,
- Testing of the receiving institution student information systems (SISs) are underway in preparation for the future data migrations from the UW Colleges SIS, and
- Continuing Education, Outreach and E-Learning (CEOEL) is leading the establishment of online collaborative course exchange work groups with participating UW institutions.

The Higher Learning Commission will conduct an evaluation visit December 3-4, 2018. This visit, related to each branch campus, will be coordinated at UW System Administration and is being conducted to ensure quality of academic offerings, adequacy of student support services, physical and technological resources, qualified staffing, and assessment and evaluation processes to guide continuous improvement. Each receiving institution will prepare a report and supporting evidence on the progress made in launching the branch campus, the implementation of the business plan and the current operations of the campus including enrollment, budget, and staffing. A single HLC team will interview faculty, staff, students and administration.

RELATED BOARD OF REGENTS ACTIONS

- Resolution 10956, Approval of Restructuring of UW Colleges and UW-Extension
- Resolution 10961, Amendment of Resolution 10956, “Approval of Restructuring of UW Colleges and UW-Extension”
- Resolution 10982, Associate of Arts & Sciences Degree Online and Associate of Arts & Sciences Degree in the Flex Format
- Resolution 11010, Transfer of Wisconsin Public Radio and Wisconsin Public Television to UW-Madison
- Resolution 11011, Transfer of the Department of Labor Education to UW-Madison

- Resolution 11047, Approval of the Establishment of a College of General Studies, UW-Milwaukee
- Resolution 11048, Approval of the Establishment of a College of Integrated Studies, UW-Whitewater
- Resolution 11049, 2018 Tenure Transfer Report for UW Colleges
- Resolution 11050, Program Authorization (Implementation) UW Flexible Option B.S. in Business Administration, UW-Parkside
- Resolution 11066, Authority to Rename the University of Wisconsin-Barron County, UW-Eau Claire
- Resolution 11085, Authority to Rename the University of Wisconsin-Marinette, the University of Wisconsin-Manitowoc, and the University of Wisconsin-Sheboygan, UW-Green Bay
- Resolution 11086, Authority to Rename the University of Wisconsin-Washington County and the University of Wisconsin-Waukesha, UW-Milwaukee
- Resolution 11087, Authority to Rename the University of Wisconsin-Baraboo/Sauk County and the University of Wisconsin-Richland, UW-Platteville
- Resolution 11088, Authority to Rename the University of Wisconsin-Marathon County and the University of Wisconsin-Marshfield/Wood County, UW-Stevens Point
- Resolution 11089, Authority to Rename the University of Wisconsin-Rock County, UW-Whitewater

UW SYSTEM EMPLOYEE PERSONNEL FILES AND REFERENCE CHECKS

EXECUTIVE SUMMARY

BACKGROUND

The UW System Board of Regents is committed to promoting a campus environment free from incidents of sexual violence and sexual harassment. To help achieve this goal, the Board of Regents adopted Regent Policy Document 14-2, “Sexual Violence and Sexual Harassment,” concerning policies, practices, and educational programs to prevent, respond to, and redress incidents of sexual violence and sexual harassment.

The authority for adopting personnel policies is found in Wis. Stat. [§ 36.115](#), which requires the Board and the UW-Madison chancellor to establish and maintain personnel systems separate and distinct from Wisconsin’s civil service system as established under [Chapter 230](#) of the Wisconsin Statutes. UW System and UW-Madison have adopted a series of human resource policies to implement the personnel systems.

On June 7, 2018, the Board adopted Resolution 11038 on employee personnel files and reference checks, which required the development or modification of certain human resource policies for all UW institutions regarding:

- i. documenting sexual harassment allegations and investigations;
- ii. maintaining personnel files and conducting reference checks; and
- iii. exchanging personnel files between all UW institutions and State of Wisconsin agencies.

UW System developed and modified the draft UPS policies regarding recruitment (UPS Operational Policy TC 1) and personnel files (UPS Operational Policy HR 13), applicable to all UW institutions except for UW-Madison. UW-Madison has developed and modified administrative policies on “Recruitment, Assessment, and Selection of Academic, Faculty, Limited, and University Staff Employees” and “Employee Personnel Files.”

The draft UPS policies were presented to the Board in August prior to seeking additional feedback and consultation from institution stakeholders in advance of implementation (target January 1, 2019). At that meeting, the Board requested a status update in October for both the progress on the draft UPS policies and the draft UW-Madison policies (which include the same minimum requirements as the UPS policies).

REQUESTED ACTION

For information only.

DISCUSSION

After the June Board meeting, a work group was created to consider issues and draft the attached policies. The work group included members from multiple UW institutions (UW-Eau Claire, UW-Oshkosh, UW-Milwaukee, UW-Madison, and UWSA), and covered a wide range of subject areas and expertise (human resources, Title IX, administration, legal). Additionally, the work group consulted with the Department of Administration - Division of Personnel Management (DPM) for consistency with other state agencies.

The work group performed a current state assessment of personnel file and reference check policies at 37 different institutions including all UW System institutions, all Big Ten institutions, other large systems (including SUNY, Texas, University of California, and California State University), additional universities (including Georgia, North Carolina, and Virginia), as well as the Department of Administration and K-12 institutions.

As part of that review, the work group determined most of the institutions reviewed did not have written policies that directly addressed documenting sexual violence or sexual harassment allegations/investigations within the personnel file, conducting or responding to reference checks regarding allegations/investigations of sexual violence or sexual harassment, or sharing/transferring personnel files between institutions.

However, a number of institutions were in the process of reviewing and/or updating their sexual violence and sexual harassment personnel file or reference check policies. Additionally, a number were interested in reviewing both the UW System work group's research and a copy of the draft and final policies implemented, highlighting the leadership role that the Board is taking on this issue.

Draft UPS Operational Policy TC 1 and UW-Madison "Recruitment, Assessment, and Selection" policy regarding recruitment require that there be consistent disclosure to hiring institutions (both within the UW System and for external employers) of violations of sexual violence and sexual harassment policies, and that UW institutions ask about sexual violence and sexual harassment prior to hiring any final candidate. The draft policies also clarify that potentially adverse information is not an automatic disqualifier, and that any disclosures will be weighed as part of the evidence-based hiring process. Additionally, the draft policies do not ask about or require disclosure of unsubstantiated allegations of sexual violence or sexual harassment. The only exception is instances where an employee leaves during an active investigation into allegations of sexual violence or sexual harassment.

Draft UPS Operational Policy HR 13 and UW-Madison "Employee Personnel Files" policy regarding personnel files standardize the content of personnel files and require their transfer between all UW institutions and state agencies upon hire; define when and with whom personnel files are shared; and ensure appropriate documentation of sexual violence and sexual harassment within the personnel file.

Since presentation to the Board, the work group and UW-Madison have been working with campuses, shared governance groups, and other stakeholders as part of the consultation and

review phase (August-November 2018). The work group and UW-Madison will continue to collect feedback and lay the groundwork for a target implementation in January of 2019.

RELATED BOARD OF REGENTS ACTIONS OR POLICIES

- [Regent Policy Document 14-2, Sexual Violence and Sexual Harassment](#)
- [Regent Policy Document 20-21, University Personnel Systems](#)
- Resolution 11038, Employee Personnel Files and Reference Checks

UW-Madison Administrative Policy
Policy # 3.01
Recruitment, Assessment, and Selection of Academic, Faculty, Limited, and University Staff Employees

Effective Date: July 1, 2015
Last Updated: January 1, 2019
Last Reviewed:
Next Review:

Functional Owner	Office of Human Resources (OHR)
Executive Sponsor	Vice Chancellor for Finance and Administration (VCFA)
Policy Contact	OHR/Talent Recruitment and Engagement (TRE)

Policy Summary

The University of Wisconsin–Madison is committed to hiring the right talent to ensure that our university continues to be a world-class institution of higher education. Our goal is to provide opportunities for talented people from all backgrounds to help us maintain a highly productive, welcoming, empowering, and inclusive community. UW–Madison encourages women, minorities, veterans, and people with disabilities to apply for our vacancies.

To meet this commitment UW–Madison fills vacancies through civil service processes. Therefore, the primary objectives of this policy are recruiting well-qualified and diverse applicant pools; assessing applicants in a timely, fair and transparent fashion; treating applicants in a customer-friendly, unbiased, fair and equitable way (consistent with university policy and state and federal laws); and selecting the best candidates. Consistent with this policy, UW–Madison is an equal opportunity employer that hires without regard to, but not limited to, the following: gender, race, color, national origin, sexual orientation, creed, religion, age, marital status, disability, genetic information, political affiliation, ancestry, status as a veteran or disabled veteran, or other classifications protected by state or federal laws.

Who This Policy Applies To

Unless otherwise noted, this policy applies in all situations in which UW–Madison recruits, assesses and/or selects talent to fill Academic, Faculty, Limited, or University Staff vacancies.

This policy can also be used to recruit, assess and/or select temporary employees, student employees or Employees-in-Training, although it is not required for these employment categories.

Rationale

UW–Madison is best served when it has a highly talented, diverse pool of interested and qualified applicants and a selection process designed to ensure fair, open, and timely recruitment and competition.

Policy Detail

Section A – Overview

I. General Recruitment, Assessment and Selection Principles

- a. UW–Madison’s decentralized organization and operations have resulted in a large number and range of campus jobs. Our recruitment, assessment and selection procedures must meet the needs of individual employing units while still promoting efficient, effective, fair, and legal hiring practices.
- b. Before the recruitment, assessment and selection process begins position descriptions must be reviewed and approved for job title and salary range.
- c. In addition to the policy elements listed below, staff who recruit, assess or select Academic, Faculty, Limited, or University Staff are responsible for following their department or division policies and procedures.

II. Direct-Hire Waiver Process

Open recruitment for specific Academic, Faculty, Limited, Temporary and University Staff vacancies is not required when certain criteria is met. All waivers of the recruitment process must be approved by OHR before the position is offered. Waivers are used in situations when it is helpful to do a direct hire of an otherwise qualified applicant, for example temporary, acting or interim appointments to fill a vacancy or when an employee goes on leave.

III. Candidate Experience

The recruitment, assessment and selection process supports the university’s need to identify the best- qualified candidate for each position. UW–Madison also recognizes that it is important to provide applicants with a timely, transparent and positive experience. Consequently, hiring administrators must:

- a. Write and post clear job announcements;
- b. Facilitate a user-friendly applicant process;
- c. Clearly identify a specific person whom applicants can contact for information about each vacancy; and
- d. Communicate with applicants about status and decisions in a timely manner.

IV. Recruitment, Assessment and Selection Process

UW–Madison will use a variety of recruitment, assessment and selection strategies to ensure processes are consistent across campus while also allowing units to tailor their approaches to their specific personnel needs.

Section B – Filling Vacancies

V. Pre-Recruitment Requirements

- a. For University Staff vacancies only
 - i. Blue-collar multi-shift vacancies: Transfer opportunities for designated employees
 - ii. Reemployment after layoff: Notification to, or mandatory placement of, laid-off employees. (See [Layoff of University Staff](#)).
- b. For Academic Staff vacancies only

Referral priority: Opportunity for a laid-off employee or for long-term Academic Staff non-renewed for reasons other than performance to be considered for a vacancy prior to proceeding with open or internal recruitment. (See [ASPP 3.06 Referral Priority](#) and [ASPP 5.09 Reappointment Rights and Referral Priority](#))

II. Recruiting Strategy

UW–Madison uses different recruitment methods to support best-qualified selection and diversity. The hiring administrator should evaluate each vacancy to determine which of the following recruitment approaches to use:

- a. Standard Recruitment. In the vast majority of recruitments, this process will be used to publicly post vacancies, and applications are accepted from all interested applicants. For additional guidelines related to Faculty recruitments, refer to [Searching for Excellence and Diversity: A Guide for Search Committee Chairs](#).
- b. Centralized Recruitment (University Staff vacancies only). For specified vacancies with high volume applicant pools, applications can be accepted from all interested applicants. OHR manages the initial intake and screening.
- c. Internal Recruitment. For limited situations (unique skills or business need), this process can be used when it is necessary for the University to consider only current university employees (and eligible former employees).

III. Assessment Criteria and Benchmarks

Hiring decisions will be based on qualifications and merit. The hiring administrator should develop predetermined, job-related, and nondiscriminatory criteria and benchmarks (including any minimum qualifications) to assess each candidate's qualifications, decide whom to interview, and work with the hiring manager to ultimately select the best-qualified for each vacancy. Hiring administrators are encouraged to use a variety of assessment tools.

IV. Advertising and Recruiting

The hiring administrator must proactively post and advertise for all vacancies. Passively posting a vacancy on the OHR website or advertising a vacancy in one publication is not

enough to attract the best pool of applicants. Recruiting widely and aggressively will help attract a more diverse pool of qualified applicants. Additionally, hiring administrators must ensure the following:

- a. Recruitment Efforts Plan (REP). For specified vacancies including all underutilized positions, a REP must be approved to outline the proposed recruiting efforts and help ensure a diverse pool of applicants. A completed REP is required to follow federal reporting guidelines, and must be approved by the UW–Madison Office for Equity and Diversity.
- b. Advertising. Advertisements must contain specific OHR-developed language about diversity and affirmative action/equal employment. Additionally, departments can advertise a vacancy to allow the later filing of a permanent residency petition, per OHR requirements.
- c. Posting the Vacancy. Postings must include a detailed but plain-language description of the position, specific instructions about how to apply, contact information, and any minimum qualifications.
 - i. All postings will meet required minimum posting periods as designated by OHR.
 - ii. All postings will identify an “ensured-consideration” date, and hiring administrators will ensure that applicants who apply by this date receive equal consideration.
- d. Third-Party Recruiters or Search Firms. Hiring units may use third-party recruiters or search firms as approved by OHR.

V. **Assessing the Applicant Pool and Selecting the Best-Qualified**

The hiring administrator must uniformly apply pre-developed criteria to all applicants. Regardless of hiring techniques, the hiring administrator is responsible for ensuring that only job-related information is considered and that the recruitment, assessment and selection process is fair and nondiscriminatory. UW–Madison is an equal opportunity employer and does not hire based on gender, race, color, national origin, sexual orientation, creed, religion, age, marital status, disability, genetic information, political affiliation, ancestry, or other characteristics protected by state or federal laws.

In addition to applying pre-developed criteria to all applicants, the hiring administrator should deploy specific strategies during the assessment and selection process:

- a. Evaluate applicants and ensure applicants meet minimum qualifications.
- b. Conduct additional screenings or assessments as needed.
- c. Conduct appropriate and job-related interviews. The interview is a mutual exchange of information between the candidate and the employer. Interviews are critical to assessing a candidate’s potential for success. Additionally, the interview provides information to help the candidate decide if UW–Madison and the job match his or her educational/work background and career goals. Interviewers should use the interview as an opportunity to promote UW–Madison as an employer of choice.

- d. Reuse established applicant pool if approved by OHR. Although hiring administrators are encouraged to conduct open recruitments for each vacancy, some reuse of established applicant pools is allowed as approved by OHR.
- e. Vetting of Finalist – Before a job offer is made, the following vetting processes must occur:
 - i. Reference Check – Divisions must ensure a reference check is conducted with the finalist’s current or most recent employer including inquiring whether the finalist has been found to have engaged in any sexual violence or sexual harassment, or left employment during an active investigation into allegations of sexual violence or sexual harassment. Reference information that reveals past misconduct (including any violation of sexual violence or sexual harassment policies) must be reviewed on a case-by-case basis prior to making any hiring decisions and, when appropriate, legal counsel should be consulted (see Recruitment, Assessment and Selection Procedures for specific reference check questions).
 - ii. Criminal Background Check (CBC) – Divisions must complete all other required background checks including but not limited to criminal background checks (See Criminal Background Check Policy).
 - iii. Sexual Violence or Harassment Inquiry – The University will ensure the finalist(s) is (are) asked whether they have been found to have engaged in, or left employment during an active investigation into allegations of sexual violence or sexual harassment (see Recruitment, Assessment and Selection Procedures for specific process utilizing the Criminal Background Check system).

Note, questions for the finalists identified above in this section may be presented in the CBC process.

VI. Job Offer

- a. Hiring Administrators should move candidates through the job offer and hiring process.
- b. All employment offers are contingent upon verification of the information that the candidate provided during the assessment and selection process, and passing appropriate criminal and other background checks as needed, as well as employment verifications [(Employment Eligibility Verification (I-9))].
- c. The hiring unit can negotiate within the terms of the vacancy announcement (e.g., salary, FTE and title range). Hiring managers must make employment offers in accordance with the policies and procedures established by their department or division.
- d. Before reaching the point of extending a formal offer of employment to a faculty or high-level limited appointee in another UW System institution, the official responsible for initiating such action must first notify the appropriate vice chancellor (or UW College dean) of the other UW institution.

VII. Closing the Vacancy and Notifying Unsuccessful Candidates

After a candidate is hired, the hiring administrator should notify each candidate who was not selected, in a timely manner. The hiring administrator must also satisfy affirmative action reporting requirements and retain records in a formal Search File as needed.

VIII. Best Practice Review Process

To support departments in conducting an efficient, effective and compliant recruitment, assessment and selection process, OHR will review and approve the overall division recruitment, assessment and selection plan which includes processes and procedures used by divisions and departments. This will include reviewing recruitment records and assessment processes annually.

IX. Access to Recruitment Records

If contacted for candidates' names, hiring administrators should consult the [Unclassified Search Records Information Sheet](#) , which governs the release of recruitment records, also see additional information under Legal Considerations in this policy.

X. Providing Reference Checks

UW-Madison must provide a reference check regarding current or former employees when a potential employer makes a reference check request. The potential employer should receive an objective evaluation of the candidate's training, experience, skills, abilities, and job performance as they relate to the duties and responsibilities of the job they held at UW-Madison. As part of the information conveyed to the employer requesting the reference check, divisions must indicate that the employer can receive information regarding whether the employee has ever been found to have engaged in, or left during an active investigation into allegations of, sexual violence or sexual harassment (see Recruitment, Assessment and Selection Procedures for specific process for other employers, including System institutions and State Agencies to obtain this information).

When the potential employer is another UW System institution or State agency, the personnel file of the current or former employee must be shared upon hire. See UW-Madison's personnel file policy.

XI. Legal Considerations

Claims of wrongdoing and unlawful discrimination

- a. Hiring decisions are at the sole discretion of the hiring manager and cannot be appealed. It is important, however, to ensure that a candidate's experience is positive. Candidates can contact OHR if they are dissatisfied with their

experiences. The decision whether to take action is at the sole discretion of UW–Madison.

- b. Any candidate who believes that he or she has been discriminated against for a reason prohibited by state or federal law should contact the UW–Madison Office of Equity and Diversity, the State of Wisconsin Equal Rights Division, or the U.S. Equal Employment Opportunity Commission.

Supporting Tools

OHR provides tools and resources to help managers complete the recruitment, assessment and selection process efficiently, effectively and in compliance with laws and policies. OHR also provides regular training on recruitment, assessment and selection.

[RAS Procedure](#)

[Recruitment, Assessment, and Selection Toolkit](#)

Definitions

Applicant: job seeker who has applied for the vacancy.

Blue-Collar Multi-Shift: University Staff titles that are in pay schedule 03 (e.g., custodian, food service assistant, food retail/catering leader and food production assistant) and in multiple-shift environments (e.g., first shift, second shift and third shift).

Candidate: applicant who has been deemed minimally qualified for the vacancy.

Centralized Recruitment: process in which OHR helps divisions manage the recruitment, assessment and selection of high-volume and continuously recruited vacancies (e.g., custodial positions).

Civil Service System: a hiring process that incorporates merit selection principles including objective criteria to evaluate job applicants and make hiring decisions.

Employee: any individual who holds a faculty, academic staff, university staff, or limited appointment with any UW System institution.

Equal Opportunity and Affirmative Action: an active effort to improve the educational and employment opportunities of members of minority groups and women.

Final Candidate: In this subsection:

1. “Final candidate” means each applicant who is seriously considered for appointment or whose name is certified for appointment, and whose name is submitted for final consideration to an authority for appointment, to any of the following:

- a. A state position that is not a position in the classified service and that is not a position in the University of Wisconsin System.
- b. A local public office.
- c. The position of president, vice president, or senior vice president of the University of Wisconsin System; the position of chancellor of an institution; or the position of the vice chancellor who serves as deputy at each institution.

2. "Final candidate" includes all of the following, but only with respect to the offices and positions described under subd. 1. a. and b.:

- a. Whenever there are at least 5 applicants for an office or position, each of the 5 applicants who are considered the most qualified for the office or position by an authority.
- b. Whenever there are fewer than 5 applicants for an office or position, each applicant.
- c. Whenever an appointment is to be made from a group of more than 5 applicants considered the most qualified for an office or position by an authority, each applicant in that group.

3. "Institution" has the meaning given in s. 36.05 (9).

(b) Every applicant for a position with any authority may indicate in writing to the authority that the applicant does not wish the authority to reveal his or her identity. Except with respect to an applicant whose name is certified for appointment to a position in the state classified service or a final candidate, if an applicant makes such an indication in writing, the authority shall not provide access to any record related to the application that may reveal the identity of the applicant.

Hiring Administrator: person who is responsible for ensuring the recruitment, assessment and selection process for a particular vacancy is completed in accordance with established policies. A supervisor, unit human resource (HR) representative, or designee may serve as the hiring administrator and delegate different aspects of the search process. The hiring administrator continues to be responsible for the process, regardless of delegation.

Hiring Manager: supervisor for a particular vacancy who has the authority to make the final hiring decision. The hiring manager works closely with the hiring administrator to complete all aspects of the search process in accordance with established policies.

Internal Recruitment: standard recruitment process that requires that applicants be currently employed at UW–Madison.

Merit: the qualifications, experience, standard of work performance, and capabilities of those persons that are relevant to the performance of those duties.

Nominee: For a number of university vacancies, people will be nominated for a position by another person. In these cases, the person nominated does not become an applicant or candidate

until he or she informs the search committee or contact person that he or she would like to be considered for the position and subsequently applies for the vacancy.

Position: specific duties and responsibilities of a job.

Recruitment, Assessment, and Selection Plan: a document created by division HR in collaboration with division leadership, and approved by OHR which provides overall guidelines for recruitment, assessment and selection. It outlines the division’s expectations of specific steps, processes and requirements for recruitment, assessment and selection and identifies plans and procedures to increase diversity.

Sexual harassment: has the same meaning as in UW-Madison’s Policy on Sexual Harassment and Sexual Violence.

Sexual violence: has the same meaning as in UW-Madison’s Policy on Sexual Harassment and Sexual Violence.

State agency: a Department or Independent Agency as defined under Wis. Stat. §15.01(5) and §15.01 (9).

Standard recruitment: merit-based process used to fill most vacancies. This process allows UW–Madison the flexibility to target specific skill sets as well as a diverse pool of qualified applicants. The process is open to all qualified applicants and does not require that applicants be employed at UW–Madison.

UW System institution: any of the following: UW-Eau Claire; UW-Green Bay; UW-La Crosse; UW-Madison; UW-Milwaukee; UW-Oshkosh; UW-Parkside; UW-Platteville; UW-River Falls; UW-Stevens Point; UW-Stout; UW-Superior; UW-Whitewater; UW System Administration.

Responsibilities

<p>Office of Equity and Diversity (OED)</p>	<ul style="list-style-type: none"> ▪ Identifies and communicates the positions that are underutilized ▪ Consults with departments and hiring administrators on their Recruitment Efforts Plans (REP) and other efforts to ensure balanced applicant pools ▪ Manages UW's affirmative action plan ▪ Verifies the effectiveness of diversity recruiting efforts ▪ Provides diversity training to campus
<p>Office of Human Resources (OHR)</p>	<ul style="list-style-type: none"> ▪ Provides policy oversight to ensure compliance with campus policy ▪ Conducts periodic reviews of the policy with campus human resources departments

	<ul style="list-style-type: none"> ▪ Approves overall division recruitment plan (“Recruitment, Assessment and Selection Plan”) ▪ Implements changes to the policy as needed ▪ Consults with and advises division HR representatives ▪ Approves requests to use the internal recruitment process when positions are underutilized for minorities or females ▪ Develops and oversees campus-wide policies and procedures ▪ Maintains the Applicant Tracking System (ATS), PVL/CHRIS, JEMS, the employment website, and internal resources (e.g., Recruitment, Assessment and Selection Toolkit) ▪ Provides sample tools for assessing applicants ▪ Develops and provides training on the hiring process and assessment techniques
<p style="text-align: center;">College/School/Division HR</p>	<ul style="list-style-type: none"> ▪ Ensures administrators, supervisors, and hiring managers are aware of this policy and comply with its provisions ▪ Develops an overall division recruitment plan ▪ Consults with and advises departments and hiring administrators ▪ Consults with and advises departments and hiring administrators on strategies to select and advise search committees and interview panels ▪ Approves internal recruitment for non-underutilized positions ▪ Ensures the justification of internal recruitments for underutilized positions ▪ Maintains and retains documents relating to the hiring process ▪ Trains employees involved in the recruitment, assessment and selection processes ▪ Ensures all forms and process elements are completed and provided to appropriate parties (e.g., REP)
<p style="text-align: center;">Hiring Administrator</p>	<ul style="list-style-type: none"> ▪ Ensures process is in compliance with policy ▪ Ensures process is fair and nondiscriminatory ▪ Consults with division HR or, if Division HR Rep, consults OED to complete REP ▪ Selects and instructs search committee and interview panel ▪ Communicates with applicants in a timely manner throughout the process

	<ul style="list-style-type: none"> ▪ Coordinates process working with hiring managers and other responsible parties
Hiring Manager	<ul style="list-style-type: none"> ▪ Participates in the creation of assessment criteria ▪ Evaluates applicants ▪ Participates in interview process ▪ Works with hiring administrator to ensure process is fair and nondiscriminatory ▪ Conducts reference checks ▪ Extends and negotiates offer
Job Applicant	<ul style="list-style-type: none"> ▪ Provides accurate information throughout the recruitment, assessment and selection process on or before established deadlines ▪ Responds to communications or requests in a timely manner

Link to Current Policy

<https://kb.wisc.edu/ohr/policies/page.php?id=53208>

Links to Related Policies

[ASPP 3.06 Referral Priority \(ASPP Chapter 3\)](#)

[ASPP 5.09 Reappointment Rights and Referral Priority \(ASPP Chapter 5\)](#)

[Criminal Background Check Policy](#)

[Layoff of University Staff](#)

Other Links

[UW–Madison Employment Opportunity Website](#)

Functional Owner	Office of Human Resources (OHR)
Executive Sponsor	Vice Chancellor for Finance and Administration (VCFA)
Policy Contact	OHR/Workforce Relations (WR)

Policy Summary

The University of Wisconsin-Madison maintains personnel information in order to have a complete, accurate, and current record of an employee's job history at the University. A number of state and federal laws also require the maintenance of certain personnel records. This policy identifies the records that are required to be included in employee personnel files, explains who is responsible for maintaining the personnel records and how those records should be maintained, provides examples of records that are not part of the personnel file, addresses different types of personnel files, explains when employee personnel files must be shared with other UW-System institutions and State agencies, discusses employee access to personnel files, and reminds record custodians of their record retention obligations pursuant to the applicable record retention schedules.

Who This Policy Applies To

This policy applies to faculty, limited appointees, academic staff and university staff employees and others who have access to and control over employee personnel files and records; and employees who are authorized to access employee personnel files and share information about the contents thereof.

Rationale

To adequately document and ensure consistency of employee personnel records, UW-Madison has created this comprehensive Personnel File (P-file) policy. Further, in June of 2018, the UW System Board of Regents issued a Resolution requiring UW System Institutions to develop or modify certain human resource policies to address sexual harassment allegations and investigations including documentation in employee P-files.

Policy Detail

A. Contents of the Personnel File

Below, please find a list of records required to be included in an employee's personnel file. Note, due to employee category (e.g., faculty, academic staff, university staff, limited), not every employee will have all of the same records in their personnel file. If the record listed below for the employee exists, the original or copy of the original record must reside in the employee's personnel file. Generally, documents should be shared with the employee before being included in the personnel file.

1. Appointment Fiscal Year Report
2. Appointment letter
3. Approval for indefinite status
4. Awards or Grants; Notification of Named Professorship
5. Base rate/job code change notice
6. Change in Duties Memo
7. Curriculum Vitae (CV)/Resume
8. Distinguished Service Recognition
9. Documentation of investigatory outcomes for current or former employees, or active investigations or administrative appeals during which the employee resigns, or otherwise leaves service
 - a. Upon conclusion of the investigation or administrative appeal, if the employee is found not to have violated the policy, documentation of the investigation must be removed from the personnel file
 - b. Upon conclusion of the investigation or administrative appeal, if a current or former employee is found to have violated the policy, documentation of the conclusion of the investigation must be included in the personnel file
10. Emeritus Status Requests and Approvals
11. Employment Contract(s)
12. Faculty Activities Report and Packets for Recommendation for Indefinite Status
13. FLSA Memo or Documents
14. Final Personnel Decisions
 - a. Records and/or Supporting Documentation
15. Disciplinary Documents
16. FTE Change Request
17. Job Security Change Letter
18. Interchange Agreement(s)
19. Layoff Information
20. Leave of Absence-Unpaid, Requests and Approvals (Do not include any FMLA or ADA information in the personnel file)
21. Letters of Acceptance of Employment, Tenure, and/or Indefinite Appointment
22. Letters of Application
23. Letters of Expectation
24. Letters of Offer, Appointment, Reappointment, Assignment, and/or Promotion
25. Letter of Non-Renewal
26. Letters of Recommendation, Reference, Commendation
27. Letters of Resignation or Retirement
28. Negotiated Resolution(s)
 - a. A reference to any relevant negotiated resolution or settlement agreement(s) identifying the resolution or agreement and indicating "Agreement retained by Office of Legal Affairs"

29. Operational Area Clarification Memo/Reassignment
30. Outside Activities Report
31. Overload Request
32. Pay Plan Information
 - a. Increase Notification Letter
 - b. No Pay Plan Notification
 - c. Other Letters/Notices of or Relating to Pay Plan
33. Pay Related Actions (includes, but not limited to: base rate change, title change, title change requests and actions, and/or other actions affecting employee's pay)
34. Performance Reviews, Evaluations and Applicable Attachments (if any)
 - a. Probation and/or Evaluation Period Performance Reviews
 - b. Do not include Student Evaluations
35. Personnel Action Form(s)
36. Personnel Transfer Record(s)
37. Policy Acknowledgments
38. Position Audit Memo from CHR
39. Position Description (PD)
40. Position Vacancy Listing (PVL)
41. Professional Development Certifications and Awards
42. Promotional Approval
43. Protection of Sensitive Information
44. PVL Waiver Request
45. Reallocation Records
46. Reclassification Information
 - a. Analysis Form
 - b. Approval Letter
 - c. Request
47. Relocation/Moving Expenses Information
48. Research Proposal (At hire, if required)
49. Resignation
 - a. Acceptance
 - b. Notice
 - c. Termination packet
50. Resume
51. Sabbatical Information
 - a. Approval
 - b. Funding Information Regarding Payment Over 65%
 - c. Payment Information
 - d. Request
52. Schedule Change

53. Staff Award(s)
54. Strategic Hire Initiative
 - a. Approval
 - b. Request
55. Supervisor Change
56. Telecommuting Agreement
57. Temporary Employee Acknowledgment Form
58. Tenure Extension
 - a. Approval
 - b. Request
 - c. Supporting Documents
59. Tuition Reimbursement
 - a. Approval
 - b. Request
60. Vehicle Use Agreement/Driver Authorization or No-Drive

B. Creation and Maintenance of Personnel Files

UW-Madison employee personnel files shall be created and/or maintained for all UW-Madison employees, including, any individual who holds a faculty, academic staff, university staff, or limited appointment with the University.

UW-Madison employee personnel files shall be maintained by the UW-Madison School/College/Division human resources department or office where the employee works or its appropriate designee. This personnel file, in conjunction with information found in the University's electronic Human Resources System (HRS), is the official personnel file.

All personnel and employment records, including any electronic and/or paper records, shall be maintained to ensure the security and confidentiality of the records in a filing system that meets applicable record retention schedule requirements and best practices. The campus uses an electronic personnel file system¹.

Certain items described in Section A. 9. (a-b) of this policy must be added to the personnel file whenever created. Items in A. 9. (a) shall be removed upon conclusion of the investigation or administrative appeal, if the employee is found not to have violated the policy. Any records removed still need to be maintained pursuant to the applicable General Records Schedule absent any authority to destroy them. Documents described in Section A. 9. (a-b) of this policy regarding violations of the UW Madison sexual violence and sexual harassment policy included in the personnel file cannot be removed except in extraordinary circumstances, and then only upon the review and approval of the UW Madison Office of Human Resources, the Chancellor or their designee, and the applicable legal counsel.

¹ UW-Madison is currently in the process of digitizing many personnel files.

C. Official, Duplicate, Shadow, Working and Supervisor Files

The official personnel file or record is the most complete and up-to-date version that will include the records identified in Section A of this policy, whether in electronic and/or paper format, and any related employee information found in the University's electronic Human Resources System (HRS).

Duplicate or working copies of records described in this policy may be maintained for convenience and/or reference purposes by individuals who have access to and control over personnel file records or their designee(s) for necessary operational purposes. Copies may be retained for as long as needed, but they should not be kept longer than the Records Disposition Authorization ("RDA") for the official copy of record as specified in the applicable record retention schedule. Do not maintain unnecessary duplicate copies. Do not send copies to storage or retain them for longer than the retention periods specified for the official copy.

If any unique material is present in a file, it is no longer a duplicate or shadow file, but represents another original record and must be maintained for the same period of time as the original record. If a duplicate or shadow file or record exists, dispose of the file or record in accordance with the applicable record retention record schedule and official record series.

Supervisors may maintain their own employee files (working and/or supervisor files) with information they believe is helpful or necessary to manage workload and employees for personnel-related operational purposes. Any supervisor files should be maintained securely and confidentially. Supervisors should be aware that if they share this information with any other person, the material may become subject to Open Records Law requests. While subunits within an employing unit may also wish to retain files of duplicates of personnel records for ease of access, this is not encouraged. If convenience copies are retained, appropriate access to these copies must be provided in response to audit or legal request and per Open Records Law. The supervisor may also maintain personal supervisor notes in the supervisor file, which are not considered to be a personnel record so long as they are prepared by the supervisor for their own use and are not shared with anyone else. While these notes may be protected outside of the personnel record from regular disclosure requirements under Open Records Laws, these notes may still be subject to disclosure at some future point as a result of a future claim, charge, complaint, and/or legal process.

D. Sharing Personnel Files

UW-Madison must request the personnel file of any current or former UW System institution or State agency employee upon hire. Upon request of the hiring UW System institution or State agency, UW-Madison must share a copy of the complete personnel file of any current or former UW-Madison employee upon hire. The original personnel file should be maintained according to the applicable Records Schedule.

E. Access to Personnel Records

Many records in the personnel file may be confidential, may contain Personally Identifiable Information (PII) and/or may be records that are subject to Wis. Stat. § 19.36(10). Some personnel-related records are confidential, such as employee medical records, examination scores and rankings and other evaluation of applicants, dismissals, demotions, and other disciplinary actions, and certain pay survey data identified as confidential in Wis. Stats §230.13.

UW-Madison employees have the right to inspect, upon request, any personnel documents which are used or which have been used in determining that employee's qualifications for employment, promotion, transfer, additional compensation, termination, or other disciplinary action, and medical records, save for exceptions identified in the statute. Please reference Wis. Stat. § 103.13(5-6) for records that may not be subject to inspection by an employee or an employee's representative.

If an employee disagrees with any information contained in the personnel records, a removal or correction of that information may be mutually agreed upon by the employer and the employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee's position. The employer shall attach the employee's statement to the disputed portion of the personnel record. The employee's statement shall be included whenever that disputed portion of the personnel record is released to a 3rd party as long as the disputed record is a part of the file.

F. Retention of Personnel Records

The University of Wisconsin System & UW Madison General Records Schedule, Human Resources and Related Records governs the retention and disposition of the personnel records for all UW System institution employees, including UW-Madison. Under the General Records Schedule – and under Wisconsin law – a UW System institution may not destroy any records that it generates or receives, including employment records, unless destruction of the record is consistent with the General Records Schedule.

Retention periods for official personnel files begin at final separation from UW employment, but emeritus status does not constitute separation for this purpose. Following the appropriate retention periods, employment records, including personnel file records, may be destroyed in accordance with the applicable record retention schedule and best practices related to record disposition and disposal. Note, records may not be destroyed where required to be retained by law or policy including, but not limited to, a pending public records request, lawsuit, audit, or legal hold.

Consequences for Non-Compliance

Violations of this policy may result in corrective action ranging from retraining up to and/or including dismissal.

Supporting Tools

Process/Procedure for Sharing Personnel Files with UW-System Institutions and State Agencies
(add link when information become available)

[UW-Madison Electronic Pfile Imaging](#)

[The University of Wisconsin System & UW Madison General Records Schedule, Human Resources and Related Records](#)

[The University of Wisconsin System Payroll and Benefit General Records Schedule](#)

[University General Record Schedules-Campus Wide and System Wide](#)

[University Record Disposition and Disposal of University Records](#)

[UW-Madison Record Management Program](#)

[Organizing University Records for Departments and Units -File Plans / Electronic Files](#)

Definitions

Employee: means any individual who holds a faculty, academic staff, university staff, or limited appointment with any UW System institution, but does not include student hourly employees.

Final personnel decisions: means personnel decisions that relate to any employee that include, but are not limited to, dismissal, demotion, suspension, written reprimands, notice of non-renewal, layoff or end of appointment, other disciplinary actions, and violations of UW-Madison's sexual violence and sexual harassment policy. A personnel decision is not a final personnel decision until all applicable administrative appeals are concluded.

Negotiated resolution: means, at the discretion of the UW-Madison, an agreement between parties without the need for a full investigation or findings.

Settlement agreement: means a contractual agreement in writing between parties to actual or potential litigation by which each party agrees to a resolution of the underlying dispute. All settlement agreements for personnel matters must at a minimum be reviewed by the applicable legal counsel and approved by the UW-Madison Chancellor or designee. **A non-disclosure or confidentiality agreement must not be included as a term in any settlement agreement that resolves a sexual violence or sexual harassment allegation.** Non-written settlement agreements are prohibited.

State agency: means a Department or Independent Agency as defined under Wis. Stat. s. 15.01(5) and (9).

UW System institution: means any of the following: UW-Eau Claire; UW-Green Bay; UW-La Crosse; UW-Madison; UW-Milwaukee; UW-Oshkosh; UW-Parkside; UW-Platteville; UW-River Falls; UW-Stevens Point; UW-Stout; UW-Superior; UW-Whitewater; UW-System Administration

Responsibilities

Link to Current Policy

Add link when it becomes available

Link to Related Policies

****Add links when they become available**

June 7, 2018 UW-System Board of Regent Resolution 11038: (add link when available)

The University of Wisconsin System UPS Operational Policy: HR 13 (add link to new policy when available)

[UW-Madison's Recruitment, Assessment, and Selection of Academic, Faculty, Limited, and University Staff Employees Policy](#) (add link to new policy when available-the link here is to the old policy)

[UW-Madison HR Glossary](#)

[UW-Madison Policy on Sexual Harassment and Sexual Violence](#)

Wis. Stat. § 16.61(2): When retained for “convenience of reference only,” copies are considered non-records.

Link to Policy History

[UW-Madison Unclassified Personnel File Policy](#)

[UW-Madison Faculty Policies and Procedures Personnel Files](#)

[UW-Madison Academic Staff Policies and Procedures-the Personnel File](#)

[UW-Madison Classified/University Staff Personnel File Policy](#)

Appendix:

Note, not all employment records are maintained in an employee's personnel file. The following records are examples of records that should be maintained in secure, confidential, and separate files outside of the personnel file and with limited or restricted access.

- Medical information relating to the employee from any source, including medical documentation supporting a disability accommodation request or FMLA leave. This includes, but is not limited to employee medical leave requests/forms, FMLA/WFMLA approval letters, leave options letters (when medical is involved), medical certifications and/or supporting medical documentation that explains the need for leave, accommodations and/or absences. Follow campus Divisional Disability Representative best practices and guidance for any and all employee related medical records.
- Accidental Death
- Benefits 101 Enrollment Deadline Worksheet
- Classified Leave Report
- Compensation Time Payouts
- Direct Deposit
- Drug test results
- Safety data
- Employee Benefits Checklist
- Income Continuation Insurance
- Insurance Forms- Health, Dental, Vision etc.
- Other employee benefits information
- Ride Share Forms
- Salary Deferral
- Tax Sheltered Annuity (TSA)
- Tuition Reimbursement Request
- Vacation carryover request
- University Staff Annual Leave Conversion Form
- Vanpool Payroll Deduction
- W-4
- Letters of reference provided under assurances or with the expectation of confidentiality.
- Investigative materials excluding the documents described in this policy, Section A. 9. (a-b)

UW-PARKSIDE ATHLETICS IN NCAA DIVISION II AND THE GREAT LAKES INTERCOLLEGIATE ATHLETICS CONFERENCE

BACKGROUND

Collegiate athletics are high-profile activities that exist for the betterment of the student body, student athletes, and the university. As some of the most visible programs at institutions of higher education, athletics provide valuable experiences for student athletes, opportunities to engage the broader community, and a public face for the institution. This visibility, as well as the number of student-athlete participants, the members of the public attending athletic events, and the substantial compliance requirements, necessitates a high level of oversight and scrutiny by both administrators and governing bodies.

In 2012, the Association of Governing Boards of Colleges and Universities (AGB) issued a report, "Trust, Accountability, and Integrity: Board Responsibilities for Intercollegiate Athletics," that highlighted the important role of higher education governing boards in providing proper oversight of athletics programs. That same year, the Board of Regents established annual reporting requirements for institutions that participate in NCAA Division I athletics, and ongoing requirements that apply to institutions that participate in Division II and Division III athletics.

Under the Regents' Accountability Reporting Framework, the reporting requirements for Division II athletics programs includes the following: (1) immediately notify the System President of all NCAA major infractions, NCAA investigations, conference investigations, or any other events or situations which might spark public interest in the athletic program, teams, or student athletes; (2) compliance with all Regent Policy Documents requiring review and/or approval of contractual arrangements or compensation agreements; (3) provide an annual certification letter to the System President regarding NCAA oversight; (4) report all fiscal shortfalls that may result in financial deficits; and (5) submit all required NCAA, conference, and Department of Education reports.

REQUESTED ACTION

Information only.

DISCUSSION

UW-Parkside is the only UW System institution with an NCAA Division II athletics program. UW-Parkside Chancellor Debbie Ford and Director of Athletics Andrew Gavin will provide a report on the philosophy of NCAA Division II athletics, an update on the institution's recent move to join the Great Lakes Intercollegiate Athletic Conference, and an overview of UW-Parkside's athletics programs.

RELATED REGENT POLICIES

Regent Policy Document 10-1, Endorsement of Statement of Principles from the Knight Foundation Commission on Intercollegiate Athletics