

University Committee Message to UW-Milwaukee Faculty

July 14, 2014

On Sunday, July 12th Governor Walker signed the [biennial budget](#) and issued his [vetoes](#). As part of that action, [State Statute 36.13](#), “Faculty tenure and probationary appointments” has now been repealed. This action is a clear assault on higher education and weakens the protections of academic freedom pioneered in the State of Wisconsin. Nevertheless, we need to move forward as best we can.

The [2015-2017 budget bill](#) also writes into State Statute that the UW-System (UWS) Board of Regents (BOR) is authorized to adopt procedures regarding the termination of faculty due to a “budget or program decision”, rather than just for financial emergency, as was previously the case. Specifically “...the board may, with appropriate notice, terminate any faculty or academic staff appointment when such an action is deemed necessary due to a budget or program decision requiring program discontinuance, curtailment, modification, or redirection.” AND “...the board may adopt procedures...to be followed in the event of termination of faculty...” (see page 277 of the [budget](#)).

So moving forward, faculty tenure in the UWS is now defined by BOR policy, rather than State Statute. Currently, our tenure policy is the direct translation of 36.13, which was [adopted as policy](#) by the BOR at their meeting on June 5, 2015 (see pages 167-171 of the Education Committee Agenda and materials). However, this is only a place-holder until a longer-term policy can be formulated.

In anticipation of the repeal of tenure from state law, the BOR appointed a Task Force (at their March 2015 meeting) to develop the new permanent BOR tenure policy. That group will meet starting in August 2015, and is scheduled to produce a report by early to mid-2016. However, the BOR has also apparently realized that we need to have more certainty about our tenure policy sooner. After the June 2015 Regents meeting the BOR (through UWS President Cross) asked campus chancellors and faculty to engage and provide guidance to the BOR regarding tenure policy, with the anticipation of adoption of revised policy during the Fall 2015 semester. However, it is still unclear whether the actual tenure policy will be enacted through campus policy, BOR policy, or both.

So, given this situation, the University Committee (UC) discussed the need to write a University of Wisconsin-Milwaukee (UWM) tenure policy with Chancellor Mone at our meeting on June 9, 2015. The Chancellor asked the UC to begin gathering information and drafting a document that could be used to guide development of a campus tenure policy. The UC decided that it would be advantageous to write this as a “position paper”, outlining our expectations regarding a tenure policy. We started with [language](#) specifically addressing “Termination of Appointments by the Institution” (Regulation 4) provided by the American Association of University Professors (AAUP), which we accept as the “gold standard” regarding the definition of tenure and related procedures, and then adapted and interleaved that language with appropriate sections of [Chapter 5](#) in [UWM Faculty Policies and Procedures](#) (P&P). The current draft of this document is

now posted to [UCNews](#), and incorporates feedback from both Secretary of the University Turner, and Chancellor Mone.

The UC intends to continue developing this document, seeking feedback from all faculty, as well as specific campus groups like the Distinguished Professors. We also plan to hold an open forum about this issue in mid-August. In case development as a campus policy seems warranted, the UC will ask the Codification Committee to meet in late August to review the document in advance of the Senate Rules Committee meeting the first week of September, so it can be placed on the Sept. 17th Senate agenda.

So please review the document at [UCNews](#), and send your feedback to uc@uwm.edu.

References

AAUP Recommended Institutional Regulations on Academic Freedom and Tenure:
<http://www.aaup.org/report/recommended-institutional-regulations-academic-freedom-and-tenure>

Biennial budget for 2015-2017:

<http://docs.legis.wisconsin.gov/2015/related/acts/55.pdf>

Current UWM Faculty Policies and Procedures:

<http://www4.uwm.edu/secu/policies/faculty/upload/May2015P-P.pdf>

Governor's budget veto message for 2015-2017 (J-S link):

<http://www.jsonline.com/news/statepolitics/gov-scott-walkers-budget-message-veto-summary-314437271.html>

"Place-holder" Regent Policy on Faculty Tenure (see pages 167-171):

https://www.wisconsin.edu/regents/download/meeting_materials/2015/june_2015/June-2015-Education-PDF-combined---revised-06-04-15.pdf

Old Chapter 36 State Statutes (in effect before July 12, 2015):

<http://docs.legis.wisconsin.gov/statutes/statutes/36>