

## Revisions to Academic Staff Hearing & Appeals Committee (ASHAC) Bylaws

**Rationale:** The ASHAC reviewed its Bylaws and recommends changes. At the request of ASHAC, the Academic Staff and Codification Committees reviewed and recommends the following changes to clarify language and simplify references for consistency.

### Tracked version

## ACADEMIC STAFF HEARING AND APPEALS COMMITTEE BYLAWS

### ARTICLE I PURPOSE AND RESPONSIBILITIES

#### Section 1 Purpose

The purpose of the Hearing and Appeals Committee (hereafter, “Committee”) is to act as a hearing body as specified in UWS Chapters 9-~~14~~13, Wisc. Adm. Code and UWM Academic Staff Personnel Policies and Procedures.

#### Section 2 Responsibilities

- A. ~~As specified in UWM Chapter 106.04, t~~The Hearing and Appeals Committee hears all appeals of academic staff non-renewal decisions. If a reconsideration of the non-renewal decision is ordered, the Committee participates in the selection of an impartial observer, if requested, ~~as outlined in UWM Chapter 106.05. (See UWM ASPPP Chapter 106)~~
- B. ~~If a non-teaching academic staff member is dismissed under the provisions of UWM Chapter 109, Dismissal for Cause, the Committee serves as the hearing body as specified in Chapter 109.05(1). If a teaching academic staff member is dismissed under those same provisions, the Committee appoints three of its members to serve as part of a hearing committee as specified in Chapter 109.05(2). The Committee serves as the hearing and appeals body in cases of dismissal for cause of academic staff members. (See UWM ASPPP Chapter 109)~~
- C. ~~Under the provisions of UWM Chapter 110.07, t~~The Committee serves as the hearing body for appeals of layoff decisions. ~~(See UWM ASPPP Chapter 110)~~
- D. ~~Under the provisions of UWM Chapter 111, t~~The Committee serves as the hearing body for complaints. ~~(See UWM ASPPP Chapter 111)~~
- E. The Committee serves as the hearing body for academic staff grievances. ~~as specified in UWM Chapter 112.04. Prior to hearing such grievances, the Chair may be asked to appoint an impartial mediator in an attempt to reach an informal resolution of the problem. As outlined in UWM Chapter 112.02, the Chair investigates allegations of reprisals against individuals filing grievances. (See UWM ASPPP Chapter 112)~~

F. At its first meeting of the Committee year, the Committee establishes a list of individuals who will serve as replacements for Committee members who are disqualified or who disqualify themselves from any hearing which comes before the Committee. This list is taken from those who indicated willingness to serve on the Committee in the previous Spring's Nominations Committee preference poll. Other academic staff members may be added to the list by the Committee as appropriate. If individuals from this list are appointed to the Committee, the structure of the Committee as outlined in Article II, Section 1 is maintained.

## ARTICLE II MEMBERSHIP

### Section 1 Structure

The Committee consists of seven elected academic staff members. No more than two members may be from the same school/college/division at the time of their election to the committee. There must be at least one member from each functional area (teaching and non-teaching) and at least one member representing each type of appointment (fixed term, indefinite, probationary). All members must have at least a 50% appointment at UWM.

(AS Doc 71, 2/2012 revision)

### Section 2 Nomination/Election Procedures

Members are nominated and elected in accordance with standard Academic Staff Operating Guidelines.

### Section 3 Terms of Office

All members serve three-year terms. No member may serve consecutive three-year terms. The committee year is September 1 through the following August 31.

### Section 4 Absences

Participation of the entire Committee membership is essential to insure a timely and equitable hearing of each case. A member must participate in all deliberations on a particular case in order to vote on that case. The Committee may vote to remove a member who does not attend meetings regularly.

### Section 5 Vacancies

If a vacancy occurs, the position is filled by the eligible candidate who received the next highest number of votes in the most recent election. That candidate will serve the remainder of the term associated with the vacancy. If no eligible candidate is available, the Academic Staff Committee appoints an academic staff member to fill the vacancy for the remainder of the term of service. (AS Doc 40 approved by AS Senate 5/2009, revised 7/14/2009)

## ARTICLE III ORGANIZATION

### Section 1 Officers

The officers are the Chair and Secretary. Other officers are appointed by the Committee as necessary.

#### A. Responsibilities

The Chair prepares and distributes the agenda for all meetings and presides at the meetings. The Chair receives appeals, schedules hearings, and presides at the hearings. The Chair ~~designates a committee member to investigate reports of reprisals against academic staff members who have filed a grievance (per UWM ASPPP Chapter 112). also has responsibilities as outlined in Article I, Section 2E of these bylaws.~~ In addition, the Chair is the liaison with the Academic Staff Committee. At the end of each committee year, the Chair prepares a written report of Committee activities.

The Secretary takes the minutes of all meetings and hearings, including making ~~tape audio~~ recordings when appropriate. The Secretary distributes the minutes to Committee members, the Chair of the Academic Staff Committee, and the Office of the Secretary of the University; maintains the attendance records of Committee members; and conducts Committee business in the absence of the Chair.

Responsibilities of other officers are determined when each position is created.

#### B. Eligibility

~~All~~ Officers must have served on the Committee ~~or Academic Staff Senate~~ during the year prior to their term of office.

#### C. Election, Terms of Office, Vacancies

Officers are elected for one-year terms that begin on September 1. Elections take place at a regular committee meeting within one month after the annual academic staff elections. ~~results are published.~~ Officers may not serve more than two consecutive terms in a single official capacity. If a vacancy occurs, the Committee, at a special meeting called within three weeks, elects a new officer to complete the unexpired term.

### Section 2 Meetings

#### A. Regular and Special Meetings

There are two regular (~~required~~) meetings of the Committee; an organizational meeting ~~is held~~ (in September) and a ~~second meeting within three weeks after the annual election of Committee members for election of officers.~~ Special meetings are conducted in accordance with UWM Personnel Policies and Procedures and these bylaws; they are called by the Chair as needed or

at the request of two or more Committee members.

#### B. Quorum

A quorum consists of four members for regular meetings and three members for special meetings and hearings.

#### C. Standing Rules

All Committee meetings are conducted according to the latest edition of Robert's Rules of Order, unless otherwise specified in these bylaws.

#### D. Agenda

The agenda is distributed prior to each meeting. Any Committee member or Academic Staff member may place an item of business on the agenda of a regular meeting by contacting the Chair prior to the distribution of the agenda. Additional items may not be added to the agenda of special meetings once the agenda has been distributed.

### ARTICLE IV AMENDMENTS TO THE BYLAWS

A motion to amend these bylaws may be made only by a Committee member and must be placed on the agenda prior to a Committee meeting. Amendments must be approved by a majority vote of both the Hearing and Appeals Committee and the Senate of the Academic Staff. All proposed amendments must be reviewed by the Codification Committee for logic, clarity, and consistency prior to final approval by the Senate. ~~Lastly, Any~~ approved bylaw amendment(s) must be reported at the next ~~regular m~~ General Meeting of the academic staff.

Hearing-Appeals Bylaws

12/89

2/07

11/10

3/19

### Clean version

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### Section 2 Responsibilities

G. The Committee hears all appeals of academic staff non-renewal decisions. If a reconsideration of the non-renewal decision is ordered, the Committee participates in the selection of an impartial observer, if requested. (See UWM ASPPP Chapter 106)

H. The Committee serves as the hearing and appeals body in cases of dismissal for cause of academic staff members. (See UWM ASPPP Chapter 109)

I. The Committee serves as the hearing body for appeals of layoff decisions. (See UWM ASPPP Chapter 110)

J. The Committee serves as the hearing body for complaints. (See UWM ASPPP Chapter 111)

K. The Committee serves as the hearing body for academic staff grievances. (See UWM ASPPP Chapter 112)

L. At its first meeting of the Committee year, the Committee establishes a list of individuals who will serve as replacements for Committee members who are disqualified or who disqualify themselves from any hearing which comes before the Committee. This list is taken from those who indicated willingness to serve on the Committee in the previous Spring's Nominations Committee preference poll. Other academic staff members may be added to the list by the Committee as appropriate. If individuals from this list are appointed to the Committee, the structure of the Committee as outlined in Article II, Section 1 is maintained.

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