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# Governance Committee Training

Faculty, Academic Staff & University Staff

*Committee Chairs, Members & Department/Executive Committee Chairs*

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Wednesday, October 21, 2020

11:00 a.m. -12:30 p.m.

via Microsoft Teams



Trudy R. Turner, PhD  
Secretary of the University  
Trudy@uwm.edu  
Lubar Hall Room N450, 229-5988  
<https://uwm.edu/secu/>

# Governance Training

October 21, 2020

## **PROGRAM**

- I. Introduction – Trudy R. Turner, Secretary of the University
- II. Wisconsin Open Meetings Law – Jennifer Herzog, Legal Affairs
- III. Robert’s Rules of Order – William Keith, Professor, English



## Chapter 36 UNIVERSITY OF WISCONSIN SYSTEM

**Chapter 36 sets forth the mission and purpose of the University of Wisconsin System. The following descriptions can be found in 36.09 of Wisconsin state statutes.**

### **(3) The chancellors.**

#### 36.09(3)(a)

(a) The chancellors shall be the executive heads of their respective faculties and institutions and shall be vested with the responsibility of administering board policies under the coordinating directions of the president and be accountable and report to the president and the board on the operation and administration of the institutions. Subject to board policy the chancellors of the institutions in consultation with their faculties shall be responsible for designing curricula and setting degree requirements; determining academic standards and establishing grading systems; defining and administering institutional standards for faculty peer evaluation and screening candidates for appointment, promotion and tenure; recommending individual merit increases; administering associated auxiliary services; and administering all funds, from whatever source, allocated, generated or intended for use of their institutions.

#### 36.09(3)(b)

(b) The chancellor may designate a person as provost, to act as chief executive officer of the institution in the chancellor's absence, if the person currently holds a limited appointment as vice chancellor, associate chancellor, assistant chancellor, associate vice chancellor or assistant vice chancellor. The chancellor may not create an additional administrative position for the purpose of this paragraph.

### **(4) Faculty.**

#### 36.09(4)

The faculty of each institution, subject to the responsibilities and powers of the board, the president and the chancellor of such institution, shall be vested with responsibility for the immediate governance of such institution and shall actively participate in institutional policy development. As such, the faculty shall have the primary responsibility for academic and educational activities and faculty personnel matters. The faculty of each institution shall have the right to determine their own faculty organizational structure and to select representatives to participate in institutional governance.

**(4m) Academic staff.**

36.09(4m)

The academic staff members of each institution, subject to the responsibilities and powers of the board, the president and the chancellor and faculty of the institution, shall be active participants in the immediate governance of and policy development for the institution. The academic staff members have the primary responsibility for the formulation and review, and shall be representing in the development, of all policies and procedures concerning academic staff members, including academic staff personnel matters. The academic staff members of each institution shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance.

**(5) Students.**

36.09(5)

The students of each institution or campus, subject to the responsibilities and powers of the board, the president, the chancellor and the faculty, shall be active participants in the immediate governance of and policy development for such institutions. As such, students shall have primary responsibility for the formulation and review of policies concerning student life, services and interests. Students in consultation with the chancellor and subject to the final confirmation of the board shall have the responsibility for the disposition of those student fees which constitute substantial support for campus student activities. The students of each institution or campus shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance.

## Regent Policy Document 20-20

# University Staff Governance

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### Scope

This policy authorizes the University Staff of each University of Wisconsin System institution to structure themselves in a manner they determine and to select representatives to participate in institutional governance.

### Definitions

“University Staff” are members of the university workforce who contribute in a broad array of positions in support of the University’s mission and are not exempt (hourly<sup>1</sup>) from the overtime provisions of the Fair Labor Standards Act.

[<sup>1</sup>Note: All FLSA exempt employees holding positions in the State of Wisconsin “classified” service as of July 1, 2015 are given the choice to remain in the University Staff for as long as they retain their existing positions, or to voluntarily be reassigned to a position that the institution has designated as either an Academic Staff or Limited Appointment position]

### Purpose

The purpose of this policy is to provide to University Staff the opportunity to participate in institutional governance. Students, faculty and academic staff have governance rights granted by Wis. Stat. Chapter 36. This policy enables active participation in the immediate decision-making and policy development of the institution. Active participation in governance for University Staff under this policy is not collective bargaining and will not result in a labor agreement or contract. University Staff may make recommendations, consider proposals, and raise concerns to institutional leadership.

### Policy Statement

The Board of Regents is vested with the primary responsibility for governance of the University of Wisconsin System [sec. 36.09(1), Wis. Stats.]. In discharging this responsibility, the Board has an interest in providing University Staff the opportunity to participate in institutional decision-making. Each UW System institution shall:

1. Provide its University Staff members, subject to the responsibilities and powers of the board, the president, and the chancellor and faculty of the institution, the opportunity to be active participants in the immediate governance of and policy development for the institution;
2. Provide its University Staff members the primary responsibility for the formulation and review, and representation in the development, of all policies and procedures concerning University Staff members, including University Staff personnel matters; and

3. Provide its University Staff members the right to structure themselves in a manner University Staff members determine, and to select their representatives to participate in institutional governance.

### **Oversight, Roles and Responsibilities**

The Board of Regents delegates to the President of the UW System or his or her designee the authority to issue operational policies to implement and administer this policy. The Board further authorizes the President to delegate to individual Chancellors the authority to implement this policy at their respective institutions within the parameters established by RPDs and University of Wisconsin System policies.

### **Related Regent Policies and Applicable Laws**

Chapter 36 of the Wisconsin Statutes Sec.

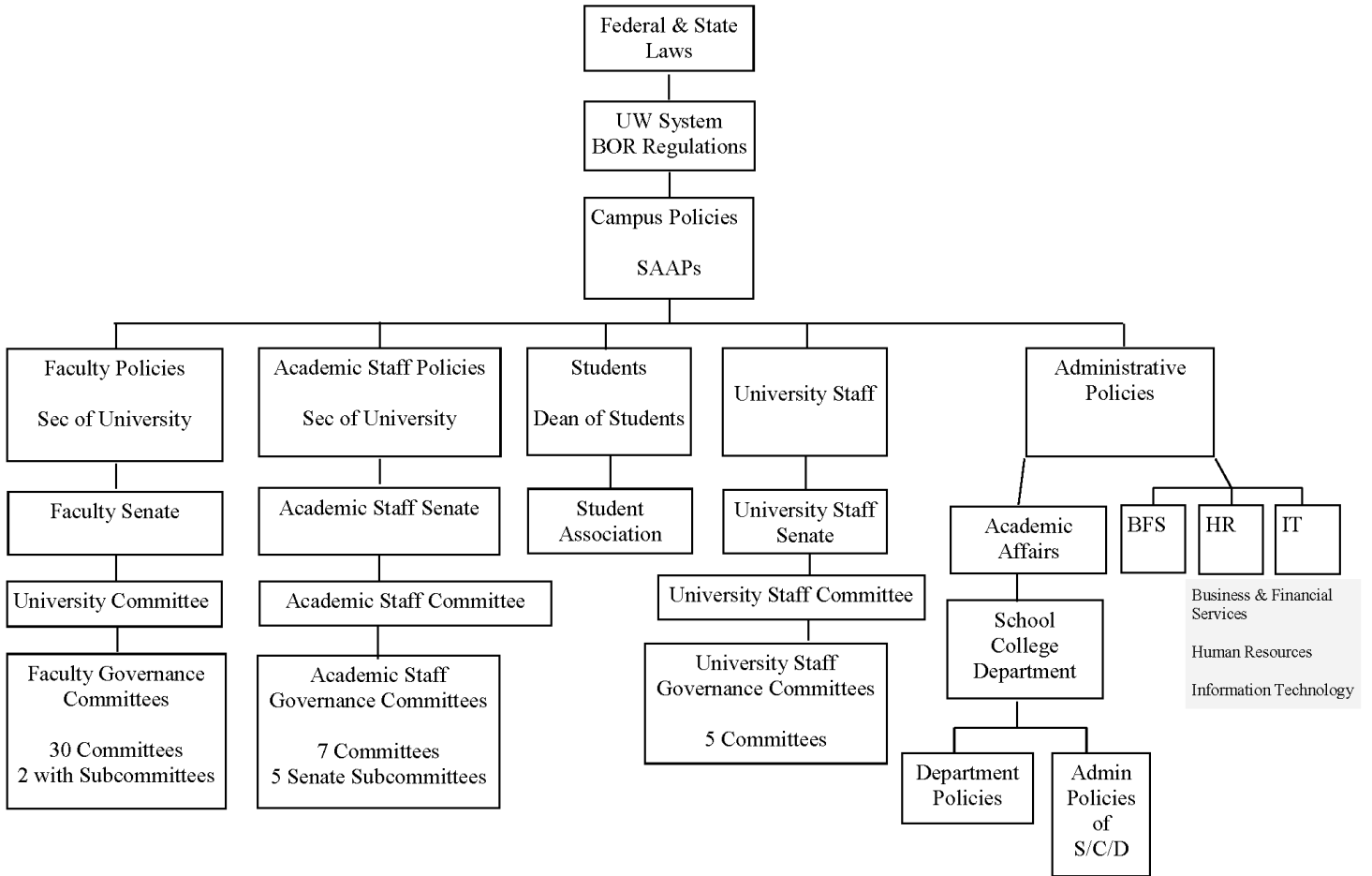
227.01(13)(Lm), Wisconsin Statutes

#### *History:*

*Res. 10150, adopted 12/07/2012, created a Regent Policy Document on University Staff Governance, effective 07/01/2013 contingent upon the implementation of university personnel systems authorized by s. 36.115, Wis. Stats; 2013 Wisconsin Act 20 delayed to 07/01/2015 the implementation of s. 36.115, Wis. Stats., and the creation of "university staff" as an employment category in the UW System.*

*Res. 10250, adopted 09/06/2013, created Regent Policy Document 20-20 Classified Staff Governance, to serve as a transitional policy providing governance rights to UW System Classified Staff until implementation of s. 36.115, Wis. Stats. Effective 07/01/2015, Regent Policy Document 20-20 University Staff Governance replaces Regent Policy Document 20-20 Classified Staff Governance.*

# Policy Hierarchy



## OPEN MEETINGS AND RECORDS OVERVIEW COMMITTEE AND DEPARTMENT CHAIR TRAINING

October 21, 2020

Under Wisconsin law, meetings of governmental bodies must be open to the public except in certain circumstances.

### 1. GOVERNMENTAL BODIES

- a. State agencies created by rule or order, or *a formally constituted subunit thereof*.
- b. “Order” includes informal orders that assign duties.
- c. What matters is *how* the entity created, not its actual authority.
- d. Example of a governmental body: academic appeals committee if created by department rule.
- e. Example of non-governmental body: group of concerned employees who get together to discuss concerns to bring to the Chancellor.

### 2. MEETINGS

- a. Members of a governmental body “gathering” for the purpose of exercising the responsibilities, authority, powers, or duties delegated to or vested in them.
- b. If (i) half or more of the members of the governmental body are present<sup>1</sup>, and (ii) the group is gathered to engage in governmental business, then the gathering is *presumed* to be a meeting of the governmental body.
- c. Actual discussion of government business is not necessary.
- d. Physical presence is not necessary – consider whether the *situation* allows members to effectively communicate and exercise their authority.
- e. Social or chance gatherings are not considered meetings.
- f. Look out for “walking quorums”: gatherings among separate groups of members of governmental body, each less than a quorum, who agree to act uniformly in sufficient numbers to reach quorum.

### 3. OPEN

- a. Notice in advance of each meeting containing time, date, place, and subject matter, including any plans to meet in closed session and basis for closing.
  - i. Notice should be posted at least 24 hours in advance.
  - ii. <https://uwm.edu/news/faculty-staff/submissions/open-meetings/>
- b. Meeting must be held in a place that is reasonably accessible to the public – this includes virtual locations.
- c. Anyone may attend and observe the meeting; however, members of the public do not have the right to speak or otherwise participate in the meeting.
- d. All meetings must convene in open session.
- e. Only topics included in notice may be discussed.

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<sup>1</sup> Assuming half the members can control the outcome; if a super-majority is needed, fewer members can influence the outcome, and their gathering could be considered a formal meeting.



#### 4. EXCEPTIONS (CLOSED SESSIONS)

- a. Specific statutory exception must apply.
  - i. Common examples: deliberating a case that was subject to any judicial or quasi-judicial hearings before the governmental body; considering dismissal, demotion, discipline, or tenure<sup>2</sup> and the taking of formal action on such matter; considering employment, promotion, compensation, and performance evaluations of any employee over which the governmental body has jurisdiction or exercises responsibility; considering financial, medical, social, or personal histories or disciplinary data of specific individuals, preliminary consideration of specific personnel problems or the investigation of charges against specific persons when such discussion would likely have a substantial adverse effect upon the reputation of the subject.
  - ii. Other examples: Conferring with legal counsel regarding litigation in which the governmental body is likely to become involved; considering strategy for crime detection or prevention.
  - iii. Voting must generally take place in open session.
- b. Must 1) announce reason(s) for going into closed session 2) have a motion that passes by majority vote to go into closed session, 3) only discuss matters in closed session that were announced in Step 1.
- c. When moving to closed session, members of the public should be asked to leave. Invited guests may stay, but only if their presence is necessary for evidence or advice.
- d. Continue keeping minutes in closed session, clearly delineating what was discussed in open versus closed session.
- e. When closed session matters have completed, either 1) adjourn meeting (if notice allowed for this), or 2) reconvene in open session upon a motion and vote if there is other business and the notice allowed for this. Upon reconvening, invite any members of the public into the meeting.
- f. Consider using multiple virtual spaces for meetings so that individuals can wait in the “open meeting room” while business continues in the “closed meeting room.”

#### 5. OTHER ISSUES

- a. Potential penalties: \$25-\$300 per violation; voiding of any actions taken in violation of the law.
- b. Recording is acceptable in **open** session, but be aware of record retention issues.
- c. Be aware of FERPA and other confidentiality issues. **Be careful with permissions related to closed session recordings.**

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<sup>2</sup> The subject can request that the underlying presentation/hearing and final decision take place in open session, but the Committee may still deliberate in closed session.

Under Wisconsin law, requesters may inspect or obtain copies of **records** maintained by **government authorities**.

## 1. RECORDS

- a. Any material (including digital) on which information is recorded or preserved.
- b. Must be kept in connection with official purpose or function of University.
- c. **Content**, not medium, format, or location, determines whether document is a record.
  - i. For example, contractor records, text messages, and emails sent from personal accounts may constitute records.
- d. Records do not include: purely personal property with no relation to job, drafts, personal notes, and similar materials prepared for the originator's personal use.
  - i. Personal emails sent through work computer systems are still records but may not necessarily be disclosed.
  - ii. Notes only qualify for personal use if being used to refresh the originator's memory. If used to communicate information to someone else or memorialize activities, may no longer be personal.
- e. There is generally a duty to retain records – see records schedules for more information.

## 2. GOVERNMENT AUTHORITIES

- a. Includes the University and its employees.

## 3. MISCELLANEOUS ISSUES

- a. Just because something is a record does not mean it will be released.
  - i. Common issues include FERPA, trade secrets, applicants for public positions, privileged materials, balancing test (whether the public interest in nondisclosure outweighs the public interest in disclosure).
  - ii. The Records Custodian makes this determination – everything goes to her, and she determines how to respond.
- b. No duty to create a new record just to fulfill a request; however, be aware of record retention requirements if a record has already been created.
- c. **Be aware of permissions on any records**, especially those containing FERPA or other confidential information.

## RESOURCES

### Open Meetings

- Wisconsin Open Meetings Law (19.81-19.98):  
<https://docs.legis.wisconsin.gov/statutes/statutes/19>
- UWM Open Meeting Submissions (Posting) Online Form: <http://uwm.edu/news/faculty-staff/submissions/open-meetings/>
- Wisconsin Department of Justice Open Meetings Law Compliance Guide:  
<https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/OML-GUIDE.pdf>
- Questions? Contact UWM Office of Legal Affairs – [nehringb@uwm.edu](mailto:nehringb@uwm.edu) - 414-229-4278

### Public Records

- Wisconsin Public Records Law (19.21-19.39):  
<https://docs.legis.wisconsin.gov/statutes/statutes/19>
- UWM Public Records Custodian: <https://uwm.edu/externalrelations/public-records/>
- UWM Public Record Access Policy (SAAP S-45): [https://apps.uwm.edu/secu-policies/storage/other/S\\_45\\_Public\\_Records\\_Access.pdf](https://apps.uwm.edu/secu-policies/storage/other/S_45_Public_Records_Access.pdf)
- Wisconsin Department of Justice Public Records Law Compliance Guide:  
<https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>
- Public records questions? Contact Kathryn Amato - [public-records@uwm.edu](mailto:public-records@uwm.edu) - 414-229-2849

# Wisconsin Open Meetings Law

(Excerpted from the Secretary of the University FAQs webpage)

## What is the Open Meetings Law?

The open meetings law is based on the principle that the public is entitled to the greatest possible information about governmental affairs. The Wisconsin Open Meetings Law (WOML) applies to governmental bodies which includes the campus bodies created by formal action of governmental bodies. It does not include committees appointed by individuals such as department chairpersons or deans. The WOML requires that all meetings of a government body whose purpose is to conduct official business and which has the requisite number of people be open and accessible to members of the public. As a practical matter department committees that are formed by action of the department executive committee need to be posted, while those formed by the Chair do not.

A link to the Wisconsin Open Meeting Law, State Statutes 19.81-19.98 is available at:  
<http://docs.legis.wisconsin.gov/statutes/statutes/19/V/81>

For additional guidance on open meetings, please see the Office of Legal Affairs' website:  
<https://uwm.edu/legal/records/>

## When may a closed session meeting be held?

A closed meeting can only be held for certain limited purposes. The most common purposes related to UWM business and governance are:

1. Considering the granting or denial of tenure, considering an employee's dismissal, demotion or discipline, or considering the investigation of charges against an individual. In all the above cases, the employee under consideration must be given notice of any evidentiary hearing before a final action can take place and before a meeting where final action is taken. The notice must contain a statement that the candidate or employee has the right to demand that the evidentiary hearing or meeting be held in open session.
2. Considering an employee's employment, evaluation, promotion or compensation, including renewal or non-renewal of contract.
3. Conferring with lawyers for the university about pending or possible lawsuits involving the university
4. Deliberations that follow an open judicial or quasi-judicial trial or hearing
5. Considering financial, medical, social, or personal information that if disclosed might have an adverse effect on the reputation of the person named
6. Considering the purchase of public property, the investing of public funds or conducting other specified public business whenever competitive or bargaining reasons require a closed session.

## What are the steps taken to go into closed session?

1. Public notice must be given
2. The body first convenes in open session

3. A member of the body moves that the body convene in closed session, stating the nature of the business to be considered
4. The chairperson reiterates motion to include the nature of the business and cites the specific exemption under Wis. Stat. s.19.85(1) that provides the authority to close the meeting.
5. The motion must be passed by a majority vote via roll call or ballot of those present. Some departments may require a 2/3 majority, so please refer to your departmental policies before voting.
6. The motion and vote are recorded in the minutes such that the vote of each member can be ascertained.

Once a body convenes in closed session it may not reconvene in open session for at least 12 hours, unless public notice of intent to return to open session was given in the original notice of the meeting. Notice may be given by using the online form:

<https://uwm.edu/news/faculty-staff/submissions/open-meetings/>

### **What information should be contained in the meeting notice?**

The notice of the meeting must give the time, date and subject matter of the meeting, including any matter intended for consideration at any contemplated closed session (s. 19.84 (2), Stats.). Because WOML also requires the notice to inform the public of the meeting's agenda, the notice should state more than simply "regular business." Instead, the notice should mention the specific matters about which members of the campus body anticipate discussion, including any closed sessions and the reasons for going into closed session. In addition to listing these specific matters, the notice should include an additional item called "miscellaneous business" to cover matters that members raise spontaneously at the meeting.

### **When should the notice of a meeting be posted?**

Notice should be given at least 24 hours before the meeting begins. Less notice can be given in extraordinary circumstances. Please contact the Office of Legal Affairs for help in determining whether you meet an extraordinary circumstances exception.

# Open Meetings/ Online Submissions Form:

<https://uwm.edu/news/faculty-staff/submissions/open-meetings/>

Use this form to submit an open meeting notice, per state law. If it's possible that someone else will post the same meeting, please avoid duplication by checking the listings before you post:

<https://uwm.edu/news/category/open-meeting-notice/>

- Committee or Group\*

Please avoid acronyms and abbreviations; this should be meaningful to the general public.

- Meeting Date\*

- Meeting Time\*

: HH MM AM

- Location\*

- Purpose of Meeting\*

Briefly describe the agenda. Please be prepared to provide an agenda of the meeting upon request.

- Contact name\*

- Phone number\*

Please use a 10-digit UWM phone number

- UWM Email Address\*

Please be prepared to provide an agenda of the meeting upon request.

- Closed session?
  - This meeting may go into closed session, per state statute:
  - This meeting will reconvene in open session.

If checked, indicate below the statute that allows the meeting to go into closed session.

- Select appropriate state statute(s)
  - Wis. Stat. sec. 19.85(1)(a)  
Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body.
  - Wis. Stat. sec. 19.85(1)(b)  
Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member.
  - Wis. Stat. sec. 19.85(1)(c)  
Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.
  - Wis. Stat. sec. 19.85(1)(e)  
Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
  - Wis. Stat. sec. 19.85(1)(f)  
Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons.
  - Wis. Stat. sec. 19.85 (1)(g)  
Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.



## PUBLIC RECORDS ACCESS

No: S-45

**Authority:** UWM Administration

Wis. Statutes sec. 19.31-19.37  
20 U.S.C. 1232g (sec. 438 of the  
General Education Provisions Act)

**Date:** April 2015 (revised-2)

December 2011 (revised)  
February 1992 (original)

**Initiator:** Vice Chancellor for University Relations & Communications

**Responsible Party:** Office of Public Records

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A. Policy

UWM reaffirms State of Wisconsin policy with respect to public access to its records as indicated in sec. 19.31, Wis. Stats., the Wisconsin Public Records law. This law recognizes a presumption of public access except in cases where exemptions apply. A person making a request under this law is not required to provide identification or any reason for the request.

B. Legal Custodian

Since UWM has a decentralized records system involving highly diverse records, the chancellor shall designate a legal custodian of all public records of the University of Wisconsin-Milwaukee pursuant to sec. 19.33(4), Wis. Stats.

It shall be the responsibility of the legal custodian to render a final decision involving any denial of access to public records at UWM and to provide such requesters with written statements of the reasons for denying requests.

C. Procedure for Requesting Records

Any individual seeking UWM records may request them from the person in charge of the unit or department where the records are maintained. If there is no uncertainty about granting access, requests should be honored as soon as practicable. If there is uncertainty about granting access, immediate consultation with the legal custodian must occur for instructions as to how the request is to be processed.

D. Temporary Ban on Destruction of Records

No requested records may be destroyed or disposed of until after the request is granted or until at least 60 days after the date the request is denied.



E. Fees

1. **Reproduction fees.** Copies of all letters or legal-sized documents shall be provided at the rate of 25 cents per page, whether hard copy, scanned copy, or other electronic copy. A two-sided hard copy constitutes two pages. Copies of records in other formats shall be provided at the actual necessary and direct cost of reproduction and transcription. Requesters are not permitted to take photographs of records during any in-person records inspection in lieu of requesting copies of documents.
2. **Locating fees.** UWM may charge for the actual, necessary, and direct cost of locating a record; however, there shall be no fee for locating UWM records unless the actual necessary and direct cost of location is \$50 or more.
3. **Collection of fees.** Where fees for requested records exceed \$5, prepayment is required. Fees that are nominal may be waived if the cost of collecting and processing exceeds the charges or where a waiver or reduction of fee is in the public interest.<sup>1</sup>
4. **Other records fees.** The establishment of a fee for records reproduction does not preclude different charges for specific types of documents issued or published by UWM such as academic transcripts, publications or medical records.

<sup>1</sup>Prior to any waiver pursuant to sec. 20.905(3), Wis. Stats., or sec. 19.35(3), Wis. Stats., there must be approval given by the legal custodian.

# UWM Records Management

## Instructions for Governance Committee Chairs

The minutes, agendas, reports, and other records of faculty and academic staff governance and administrative committees have ongoing historical and legal value, and are subject to the Wisconsin Public Records Law. The following guidelines will help you achieve compliance with records retention laws and policies, and will ensure that your committee's activities are preserved for posterity.

- **Designate an official records-keeper for your committee.**
  - This can be either you or an appointed committee secretary, and ensures that official records are kept in one place.
- **Designate an official copy of materials produced by the committee.**
  - The official copy will be the primary access point for records requests. Be aware, however, that drafts shared with committees for review may also be subject to discovery.
  - This copy may be either electronic or paper.
- **If your official copy is electronic, save as a standard file format.**
  - Formats for textual documents include plain text, RTF, PDF, or Word 2007+ (\*.docx).
  - Anything older than Word 2003 (\*.doc) should be saved as a newer format.
- **Write-protect the final copy of your records.**
  - This provides proof that records were not tampered with after creation.
  - Word and OneDrive provide write-protection abilities; OneDrive also includes audit.
  - PDF (and, of course, paper!) is inherently write-protected.
- **Create a logical file structure.**
  - Organize your files according to type (minutes, agendas, reports, etc.) and date, as applicable.
- **Be aware of confidentiality requirements.**
  - Personnel/promotion related committees in particular may produce documents that need to be stored and/or destroyed securely.
- **Familiarize yourself with applicable records schedules.**
  - General records schedules for UWM are located at <https://uwm.edu/libraries/archives/uwm-records-management/records-management-education/>
  - Retention times for the most common committee series, minutes and subject files, are both three years.

- **Transfer records at the end of your term as chair, or after three years, whichever comes first.**
  - Department Records: University Archives
  - Committee Records: Secretary of the University (Copy Archives)

**For More Information**

Records Management website: <https://uwm.edu/libraries/archives/uwm-records-management/>

Today's Prezi: [https://prezi.com/kfsaunei7iv6/?utm\\_campaign=share&utm\\_medium=copy](https://prezi.com/kfsaunei7iv6/?utm_campaign=share&utm_medium=copy)

Any other questions? Please contact UWM Records Management:

Email: [askarch@uwm.edu](mailto:askarch@uwm.edu) & Phone: 414-229-6979

# UWM RECORDS MANAGEMENT BASICS

APRIL 6, 2017

## COMMON SCHEDULES

Series	RRDA	Retention
Program Review/Accreditation Files	UWADM024	Retain until next review and send to Archives
Personnel Files (Official)	UWHR0400/0401/0402/0404	Tenured Faculty: 30 years and Send to Archives Academic/University Staff: 10 years and destroy TA/Postdocs: 6 years and destroy
Grade Books	UWSTU047	Retain 2 years after end of semester and destroy
Student Records (Department Copies)	UWADV001	Retain 3 year after last active attendance and destroy
Agendas and Minutes	UWADM018	Retain 3 years and send to Archives
Outside Activity Reports	UWADM027	HR: Retain 3 years after review and destroy Department: Destroy when no longer needed
Subject/Topical Files	UWADM003	Retain 3 years and send to archives
Accounts Payable/Receivable	UWFA300/301	Retain for 6 years after Fiscal Year and destroy
Leave Reports	UWPY0011	Retain for 5 years and destroy
Grant Reports	UWRSC035A	Retain for 4 years and send to archives

## GENERAL RECORDS MANAGEMENT PRINCIPLES

- Records should not be destroyed without an appropriate retention schedule and are subject to Public Records Requests
- Drafts and Personal Materials are **not** records and should be destroyed when no longer needed
- Retaining records past the retention period exposes you and your office to risk of data breach
- Electronic Records **MAY** serve as the official record and are managed the same as paper records

## ELECTRONIC RECORDS TIPS

### BEST PRACTICES FOR FILE MANAGEMENT

- Include good identifying information in your filenames. (Ex: “**ProgramCommitteeMinutes102213.docx**”)
- Organize files by project or retention period for easy retrieval and mass disposal.
- Include tags/keywords/subject terms when possible (usually through Properties)
- Write-protect final versions of files to keep them safe from tampering
- Important files should be stored in multiple places (but be aware of security!)
- Other records in the cloud are subject to public records law, so have a plan to produce them if requested.
- Cloud storage (Google Drive, Dropbox, etc.) should **not be used** for permanent storage.
- OneDrive/SharePoint will include built-in metadata, automated retention (eventually)

### LONG-TERM ELECTRONIC RECORDS

- Update your electronic records **medium** (CD, USB drive, etc.) every 3-5 years.
- Use open and/or non-proprietary file formats when possible. Some examples:
  - **Text:** PDF/A, \*.odt, \*.docx
  - **Images:** TIFF, \*.png
  - **Data/Spreadsheets:** \*.csv, \*.ods, \*.xlsx
- Send records to the Archives either directly through PantherFile/OneDrive or separated from paper files on physical media.

## RESOURCES

- UWM Select Policy 63 (Digitization of Departmental Records): [https://www4.uwm.edu/secu/docs/other/S\\_63\\_Digitizati\\_Guidelines.pdf](https://www4.uwm.edu/secu/docs/other/S_63_Digitizati_Guidelines.pdf)
- UW-System General Schedules Searchable Chart: <https://uwm.edu/libraries/archives/uwm-records-management/general-record-schedules/>
- More on electronic records (including email): <https://uwm.edu/libraries/archives/uwm-records-management/electronic-records/>
- Other Records Management Guidelines/Laws/Policies: <https://uwm.edu/libraries/archives/uwm-records-management/guidelines-laws-and-policies/>
- Identity/Access Services: Preparing for Account Closure: <https://uwm.edu/iam/what-you-need-to-do-to-prepare-for-account-closure/>
- SharePoint online training: <https://uwm.edu/o365/sharepoint/sharepoint-online-training-information/>

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#### For More Information

Email: [askarch@uwm.edu](mailto:askarch@uwm.edu)

Phone: (414)-229-6979

Website: <https://uwm.edu/libraries/archives/uwm-records-management/>

Today's Presentation: <https://prezi.com/aymnf6yt81kx/uwm-records-management-basics/>

## THOUGHTS ON ROBERT'S RULES OF ORDER AND EFFECTIVE MEETINGS

DR. BILL KEITH, DEPARTMENT OF ENGLISH

October 23, 2019

We tend to think of *Robert's* as a sort of inflexible straitjacket of rules, and we have to follow them. We should think of them as a set of tools. Yes, it's required, but because *Robert's* is full of resources. What kind, and why do we need them?

Meetings are a version of democratic communication; they are the smallest unit of trying to govern ourselves. Meetings, of committees or faculty, should be deliberative. To be both democratic and deliberative, they have to be regulated by certain principles:

1. Fair and free: everybody should get to participate. People should get a say, and roughly equal amounts of contribution
2. There should be a bias toward reasons and evidence that are relevant to the topic or charge of the meeting
3. Participants should show each other the mutual respect that befits equals who decide together
4. Disagreement is an important part of deliberation, and should be encouraged, though becoming personally adversarial is not appropriate.

There are different ways to deliberate: informal discussions, formal meeting, parliamentary style meetings, debates, etc.

Parliamentary style meetings have certain assumptions:

- There is a problem that needs to be solved or addressed
- People don't agree on either the problem or the possible solutions; in fact, they may disagree deeply
- Solutions might always make things worse, so we should be careful before doing anything
- Not changing anything (i.e. accepting the status quo) is also an action.
- *Robert's* has a bias toward more talk rather than less – it always takes more a simple majority of votes to shut off discussion.
- Presumption and Burden of proof: in the case of a tie, the status quo wins and nothing is done.

Some parts of *Robert's* are absolutely required:

1. Agenda, noticed in advance and not modified during the meeting
2. Motions proposed and voted
3. Minutes kept and posted, and approved at the next meeting
4. Chair only votes to break a tie
5. Voting procedures as required in P&P
6. Calling the question requires 2/3rds vote.
7. You can only change the agenda or otherwise suspend the rules with a 2/3rds vote.

However, *Robert's* is used from garden clubs to the US Senate, and contains many variations. Not all parts can be used or even make sense in the university environment.

So, it's better to think of *Robert's* as set of tools for solving problems. For all the problems you have in making sure that meetings are deliberative (= good decisions reached) and that your meetings embody the principles above, *Robert's* has resources to help you.

It would be nice if we could just have informal meetings, a few people sitting down and talking, and that was the end of it. But that's not usually how it works – why? There are many ways a meeting can fail to live up to it's decision-making potential.

#### *Too much participation*

- Calling on people before they can speak, as in class.
- Time limit for turns.
- Everybody/ two people/ three people speak before anyone gets a second turn.

#### *Too little participation*

- Calling on people to speak
- Time is allocated for discussion in advance -- “We have 10 minutes”
- Everybody/ two people/ three people speak before anyone gets a second turn.
- Discuss barriers to participation outside of meetings.

#### *Comments get too personal*

- Personal attacks and questioning of motives are out of order; chair can rule them “out of order. “Hey, as chair I have to ask you not to talk about Prof. Jones' personality.”
- Require remarks to pertain to the motion
- In difficult cases, all remarks addressed to the chair

#### *Lack of closure*

- Include implementation in the motion
- Vote the motions; only table if there is good reason
- Call the question as needed
- Don't revisit motions voted

#### *Premature closure*

- Ask for a motion to continue debate
- Table when there is a good reason
- Be sure you get a second, and solicit discussion

#### *Role of the chair:*

As Chair of the meeting,

- You should set personal interests aside, and say that you are doing do. Being chair is a service, and the sacrifice you make is that your give up any interest in the outcome. It is your ethical duty to be as impartial as possible.
- Thinking your interests through in advance is helpful: What are my conflicts of interest? How can I best bracket them?

- If you feel you cannot possibly set your personal or area interests aside in a specific situation, declare your conflict of interest and request a different chair for that meeting.
- If circumstances permit, Chair should consider not voting, to enhance perceptions of their impartiality.



The information below was extracted from: <http://www.robertsrules.com/>

## THE OFFICIAL Robert's Rules of Order Web Site Frequently Asked Questions

### CAUTION:

The answers given here to the questions presented are based upon the rules contained in *Robert's Rules of Order Newly Revised*. These rules are, in effect, *default* rules; that is to say, they govern only if there are no contrary provisions in any federal, state, or other law applicable to the society, or in the society's bylaws, or in any special rules of order that the society has adopted. This fact must always be kept in mind when reading any of the answers given.

These questions are based on queries repeatedly received on the Question and Answer Forum. The material here is derived from Chapter 13 of *Robert's Rules of Order Newly Revised In Brief*.

### *Question:*

**Is it true that the president can vote only to break a tie?**

### *Answer:*

No, it is not true that the president can vote only to break a tie. If the president is a member of the voting body, he or she has exactly the same rights and privileges as all other members have, including the right to make motions, to speak in debate, and to vote on all questions. So, in meetings of a small board (where there are not more than about a dozen board members present), and in meetings of a committee, the presiding officer may exercise these rights and privileges as fully as any other member. However, the impartiality required of the presiding officer of any other type of assembly (especially a large one) precludes exercising the rights to make motions or speak in debate while presiding, and also requires refraining from voting except (i) when the vote is by ballot, or (ii) whenever his or her vote will affect the result.

When will the chair's vote affect the result? On a vote that is not by ballot, if a majority vote is required and there is a tie, he or she may vote in the affirmative to cause the motion to prevail. If there is one more in the affirmative than in the negative, the chair can create a tie by voting in the negative to cause the motion to fail. Similarly, if a two-thirds vote is required, he or she may vote either to cause, or to block, attainment of the necessary two thirds. [RONR (11th ed.), pp. 405-6; see also Table A, p. 190 of *RONR In Brief*.]

***Question:***

**Is it true that, once a quorum has been established, it continues to exist no matter how many members leave during the course of the meeting?**

***Answer:***

No. Once a quorum at a meeting has been established, the continued presence of a quorum is presumed to exist only until the chair or any other member notices that a quorum is no longer present. If the chair notices the absence of a quorum, he or she should declare this fact, at least before taking any vote or stating the question on any new motion. Any member noticing the apparent absence of a quorum can and should make a *Point of Order* to that effect whenever another person is not speaking. It is dangerous to allow the transaction of substantive business to continue in the absence of a quorum. Although a *Point of Order* relating to the absence of a quorum is generally not permitted to affect prior action, if there is clear and convincing proof no quorum was present when business was transacted, the presiding officer can rule that business invalid (subject to appeal). [RONR (11th ed.), pp. 348-49; see also pp. 12-13 of RONR In Brief.]

***Question:***

**Do abstention votes count?**

***Answer:***

The phrase “abstention votes” is an oxymoron, an abstention being a refusal to vote. To abstain means to refrain from voting, and, as a consequence, there can be no such thing as an “abstention vote.”

In the usual situation, where either a majority vote or a two-thirds vote is required, abstentions have absolutely no effect on the outcome of the vote since what is required is either a majority or two thirds of the votes cast. On the other hand, if the vote required is a majority or two thirds of the members *present*, or a majority or two thirds of the entire membership, an abstention will have the same effect as a “no” vote. Even in such a case, however, an abstention is not a vote and is not counted as a vote. [RONR (11th ed.), p. 400, ll. 7-12; p. 401, ll. 8-11; p. 403, ll. 13-24; see also p. 66 of RONR In Brief.]

***Question:***

**How do you deal with a “friendly amendment”?**

***Answer:***

On occasion, while a motion is being debated, someone will get up and offer what he or she terms a “friendly amendment” to the motion, the maker of the original motion will “accept” the amendment, and the chair will treat the motion as amended. This is wrong. Once a motion has been stated by the chair, it is no longer the property of the mover, but

of the assembly. Any amendment, “friendly” or otherwise, must be adopted by the full body, either by a vote or by unanimous consent.

If it appears to the chair that an amendment (or any other motion) is uncontroversial, it is proper for the chair to ask if there is “any objection” to adopting the amendment. If no objection is made, the chair may declare the amendment adopted. If even one member objects, however, the amendment is subject to debate and vote like any other, regardless of whether its proposer calls it “friendly” and regardless of whether the maker of the original motion endorses its adoption. [RONR (11th ed.), p. 162.]

***Question:***

**Isn't it true that a member who has a conflict of interest with respect to a motion cannot vote on the motion?**

***Answer:***

Under the rules in RONR, no member can be compelled to refrain from voting simply because it is perceived that he or she may have some “conflict of interest” with respect to the motion under consideration. If a member has a direct personal or pecuniary (monetary) interest in a motion under consideration not common to other members, the rule in RONR is that he *should not* vote on such a motion, but even then he or she cannot be *compelled* to refrain from voting. [RONR (11th ed.), p. 470, ll. 21-31.]

***Question:***

**Should proxy votes be counted?**

***Answer:***

A “proxy” is a means by which a member who expects to be absent from a meeting authorizes someone else to act in his or her place at the meeting. Proxy voting is not permitted in ordinary deliberative assemblies unless federal, state or other laws applicable to the society require it, or the bylaws of the organization authorize it, since proxy voting is incompatible with the essential characteristics of a deliberative assembly. As a consequence, the answers to any questions concerning the correct use of proxies, the extent of the power conferred by a proxy, the duration, revocability, or transferability of proxies, and so forth, must be found in the provisions of the law or bylaws which require or authorize their use. [RONR (11th ed.), pp. 428-29.]

***Question:***

**Must debate on a motion stop immediately as soon as any member calls the question?**

***Answer:***

It is a fairly common misconception that, after debate has continued for some time, if any member shouts out “Question!” or “I call the question!” debate must immediately cease and the chair must put the pending question to a vote. This is simply not the case. Any member who wishes to force an end to debate must first obtain the floor by being duly recognized to speak by the chair, and must then move the *Previous Question*. Such a motion must be seconded, and then adopted by a two-thirds vote, or by unanimous consent. It is not in order to interrupt a speaker with cries of “Question” or “Call the Question,” and even if no one is speaking, it is still necessary to seek recognition. [RONR(11th ed.), p. 202; see also pp. 35-37 of RONR In Brief.]

**Additional resources:**

Wisconsin Open Meetings Law-A Compliance Guide

<https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/OML-GUIDE.pdf>

University of Wisconsin System, General Counsel, Open Meetings Law-Wisconsin

<https://www.wisconsin.edu/general-counsel/legal-topics/open-meetings-law/>

Office of the Secretary of the University

<https://uwm.edu/secu/open-meetings/>

# Faculty Governance and Standing Committees

## **Academic Planning and Budget Committee**

Makes recommendations regarding (1) short range and long-range academic plans for the campus and (2) budget implications for these plans. Meets every other Thursday.

## **Academic Policy Committee**

Represents student interests and concerns regarding academic policy. Makes recommendations regarding academic policy. Proposes uniform policies across campus.

## **Academic Program and Curriculum Committee**

Reviews undergraduate courses and programs. Reviews requirements for admission and graduation. Resolves questions of curricular responsibility. Plans for development of programs. Meets once a month.

### **- APCC Subcommittee on Undergraduate Program Reviews**

## **Admissions and Records Policy Committee**

Reviews policies on admissions, registration and record keeping.

## **Affirmative Action in Faculty Employment Committee**

Monitors programs and administration in the recruitment and retention of women and minority faculty. Works to enhance affirmative action on campus.

## **Athletic Board**

Reviews policies regarding intercollegiate athletics, including policies pertaining to equity and nondiscrimination. Implements NCAA and UWM policies about athletic scholarships. Meets first Wednesday of month.

## **Awards and Recognition Committee**

Selects faculty for awards and recognition.

## **Codification Committee**

Reviews faculty policies and makes recommendations for additions or changes to policies. Assists and advises the Secretary of the University in terms of changes in policy. Meets once a month.

## **Divisional Executive Committees**

- Arts & Humanities Executive Committee (AH)
- College of General Studies Executive Committee (GS)
- Natural Sciences Executive Committee (NS)
- Professions Executive Committee (PR)
- Social Sciences Executive Committee (SS)

## **Economic Benefits Committee**

Advises faculty and academic staff on salary, sick leave, group insurance and retirement among other things, Meets first Friday of the month.

## **Faculty Appeals and Grievances Committee**

Upon referral from the University Committee hears appeals and grievance of faculty members, including appeals of non-renewal. Meets as needed.

### **Faculty Ethics Advisory Committee**

Recommends policies and procedures to implement the UW System Codes of Ethics. Provides consultation to faculty members. Meets as needed.

### **Faculty Rights and Responsibilities Committee**

Upon referral from the University Committee, pursuant to UWS 6.01, conducts fact finding in allegations of misconduct made against one or more faculty members or faculty body. Can recommend disciplinary action.

### **Faculty Senate**

Governing body of the faculty. Meets monthly.

### **Faculty Senate Rules Committee**

Sets agenda and schedule for the Senate and University Faculty meetings Meets once a month.

### **Graduate Faculty Committee**

Represents the Graduate School Faculty. Responsible for formulation and review of policy regarding graduate courses and programs Meets once a month.

### **Graduate Curriculum Committee**

### **Graduate Student Fellowships Committee**

### **Graduate Program Reviews Committee**

### **Honorary Degrees Committee**

Considers candidates for honorary degrees, Spaight's plaza and distinguished service awards.

### **Information Technology Policy Committee**

Makes recommendations on policy regarding information technology Meets once a month.

### **International Committee**

The International Committee represents the interests and authority of UWM faculty, staff, and students in fostering campus internationalization through establishment of policy to guide the development and implementation of central international education functions.

### **Libraries Committee**

Represents the faculty in library affairs and archive policy.

### **Nominations Committee**

Nominates candidates for all elected faculty positions.

### **Physical Environment Committee**

Makes recommendations on the physical environment on campus, including a master plan for development. Recommends parking and transit policies. Meets Monthly.

### **Research Policy and Advisory Committee**

Reviews research policy including the Graduate Research Committee and all review boards.

### **University Committee**

Executive Committee of the Faculty Senate. Advises on the operation of faculty governance. Meets every Tuesday.

### **University Relations Committee**

Advises on public events and university relations. Meets monthly.

# Academic Staff Committees

## **Academic Staff Committee**

The Academic Staff Committee (ASC) is comprised of nine members elected at-large by the academic staff. It serves as the Executive Committee of the Senate of the Academic Staff.

## **Academic Staff Senate**

The Senate of the Academic Staff is the official governance body for the academic staff and represents UWM academic staff interests to our campus administration, UW System Administration and the Board of Regents.

## **Awards Committee**

The Academic Staff Awards Committee screens nominees and selects the two final candidates recommended for the Annual Academic Staff Outstanding Performance Awards.

## **Hearing and Appeals Committee**

The primary function of the Academic Staff Hearing and Appeals committee is to act as the hearing body for academic staff personnel matters including appeals of non-renewal, layoffs, and dismissal for cause as well as complaints and grievances.

## **Codification Committee**

Academic Staff Codification Committee reviews and makes recommendations to the Academic Staff Committee and the Senate concerning all proposed additions and changes in existing academic staff personnel policies and procedures, committee bylaws and operating rules in order to assure clarity and consistency of language.

## **Instructional and Research Academic Staff Review Committee (formerly Category B Academic Staff Review Committee (CBASRC))**

The Category B Academic Staff Review Committee reviews probationary instructional and research academic staff members and makes recommendations to deans and division heads concerning promotion to indefinite appointment. It also periodically reviews procedures and criteria for such evaluation and promotion.

## **Nominations Committee**

The primary function of the committee is to prepare the slate of nominees for membership on all academic staff committees (except the Nominations Committee) as well as all other committees requiring elected or appointed academic staff members.

## **Non-Teaching Academic Staff Review Committee**

The Non-Teaching Academic Staff Review Committee reviews probationary non-teaching academic staff members and makes recommendations to deans and division heads concerning promotion to indefinite appointment. It also periodically reviews procedures and criteria for such evaluation and promotion. Seven elected academic staff members serve on this committee.

# Academic Staff Senate Subcommittees

## **Communications Subcommittee**

The Academic Staff Senate Communications Subcommittee supports the UWM academic staff community by disseminating information on topics and opportunities of particular relevance to academic staff and creating opportunities for exchange, learning, and mutual support across campus.

### **Economic Benefits Subcommittee**

At this time, the subcommittee is under construction.

### **Instructional and Research Academic Staff Subcommittee**

This Subcommittee considers topics of particular concern to the teaching/research staff.

### **Legislative Subcommittee**

The Subcommittee considers how to best pursue topics of concern to the academic staff with the UW-System Board of Regents, legislators, the Governor and other elected officials.

### **Non-Instructional Academic Staff Subcommittee**

This Subcommittee considers topics of particular concern to the non-teaching/non-research staff.

### **Orientation Committee**

The Academic Staff Orientation Subcommittee provides orientation sessions and information to new academic staff. It will also be providing workshops or brownbag lunches and information on governance to new and continuing academic staff.

## **University Staff**

### **University Staff Senate**

The Senate of the University Staff will serve as the official governance body for University Staff and represent UWM University Staff interests and concerns to campus administration, UW System and the Board of Regents.

### **University Staff Committee**

Effective July 1, 2019 the University Staff Council (USC) will become the University Staff Committee. The University Staff Committee (USC) serves all university staff by serving as the Executive Committee of the Senate of the University Staff.

### **University Staff Awards Committee**

The University Staff Awards Committee screens nominees and selects the candidates recommended for the Annual University Staff Outstanding Performance Awards.

### **University Staff Climate and Information Committee**

The University Staff Climate and Information Committee combines the functions of communication and the climate committees to provide information to University Staff regarding employment-related issues including the betterment of campus climate conditions. The Committee will also work to improve communication across multiple levels of employment status. This may include, but not be limited to a Committee or Communication web page, newsletter, and/or mailings.

### **University Staff Codification Committee**

Formerly the Bylaws Committee, the Codification Committee annually reviews USC bylaws and proposes changes to as necessary. In addition, they will review bylaws of the University Staff Senate and all standing committee bylaws of the University Staff Senate. They will review proposed policies before they go to the University Staff Committee and University Staff Senate for final approval.



### **University Staff Grievance Committee**

The University Staff Grievance Committee serves all university staff by hearing step two grievance cases to determine whether just cause for the discipline or discharge exists and for cases involving layoff, the issue before the University Staff Council Grievance Committee will be whether the applicable layoff procedures were followed.

### **University Staff Nominations Committee**

The Nominations Committee oversees the preferences, nominations and elections process and makes recommendations to the chair of the University Staff Committee on appointments to committees when needed based on preference sheets filled out by University Staff members on an annual basis.

## **Administrative Committees**

Affirmative Action Advisory Planning Committee

All University Campaign

Americans with Disabilities (ADA) Advisory Committee

Bookstore Advisory Committee

Chancellor's Advisory Committee for LGBT+ Advocacy

Children's Center Advisory Committee

Employee Assistance Program Advisory Committee

Employee Development Committee

Multicultural Affairs Committee

Non-Academic Misconduct Hearing Committee

Non- Resident Tuition Appeals Committee

Restaurant Operations Advisory Committee

Search and Screen Committees

State and University Combined Employee Campaign Committee

Student Association Independent Election Committee

Student Employee Grievance Committee

Student Organization Disciplinary Review Committee

Student Recruitment Advisory Committee

Student Service Award Selection Committee

Union Policy Board

Union Recreation Advisory Committee

## Committees with Acronyms

AAFEC	Affirmative Action in Faculty Employment Committee	(F)
APBC	Academic Planning and Budget Committee	(F)
APC	Academic Policy Committee	(F)
APCC	Academic Program and Curriculum Committee	(F)
ARC	Awards and Recognition Committee	(F)
ARPC	Admissions and Records Policy Committee	(F)
ASC	Academic Staff Committee	(AS)
ASHAC	Academic Staff Hearing and Appeals Committee	(AS)
EBC	Economic Benefits Committee	(F)
FAGC	Faculty Appeals and Grievances Committee	(F)
FEAC	Faculty Ethics Advisory Committee	(F)
FRRC	Faculty Rights and Responsibilities Committee	(F)
GCC	Graduate Course and Curriculum Committee	(F)
GFC	Graduate Faculty Committee	(F)
HON	Honorary Degrees Committee	(F)
IC	International Committee	(F)
ITPC	Information Technology Policy Committee	(F)
IRASRC	Instructional and Research Academic Staff Review Committee	(AS)
LIB	Libraries Committee	(F)
NIAS	Non-Instructional Academic Staff Subcommittee	(AS)
NTASRC	Non-Teaching Academic Staff Review Committee	(AS)
PEC	Physical Environment Committee	(F)
RPAC	Research Policy and Advisory Committee	(F)
RULES	Faculty Senate Rules Committee	(F)
UC	University Committee	(F)
UGPR	Undergraduate Program Reviews University	(F)
URC	Relations Committee	(F)
USC	University Staff Committee	(U)

(F) Faculty

(AS) Academic Staff

(U) University Staff