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*Training Session*

# Department and Executive Committee Chairs

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*Navigating Contract Renewal  
Tenure & Promotion  
Post-Tenure Review Process*

Secretary of the University



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Friday, September 30, 2022

*Presented by*

John R. Reisel, Ph.D., Secretary of the University

Lubar N451, 414-229-4671, [reisel@uwm.edu](mailto:reisel@uwm.edu)

# UWM Faculty Policy and Procedures

Complete document at: <https://uwm.edu/secu/policies/faculty/>

## WHERE TO FIND SPECIFIC INFORMATION

### Contract Renewal

Divisional committees annually distribute criteria for tenure and promotion 3.13  
Departmental Executive Committee responsible for personnel matters 4.05 (1)  
Provide every faculty member with performance review 4.05 (2) (see 5.15-5.16 for rules)  
Probationary faculty – guidance and annual evaluation 4.05 (2) (a)  
Annually vote to delegate to subcommittee matters of salary increases, probationary faculty, university staff and graduate assistant appointments and reappointments 4.05 (3)  
May delegate to tenured professors recommendations for promotions to full 4.05 (4)

### Tenure

Choose divisional affiliation in first semester 3.03  
Calculating the probationary period 5.13  
Extension of probationary period 5.135  
EC decides if it will hear case in any year but year 6  
Department EC presents case on behalf of the faculty member to Divisional Committee 3.12(5)  
Procedures of the Divisional Committee 3.13  
Divisional Committee can ask Department EC for more information 3.12 (4)  
Faculty adhere to criteria – most current or at time of hiring 3.17

### Promotion to Full

Request to be considered 4.05 (2)(c) EC must decide if they will consider case  
EC may delegate decision to a subcommittee 4.05 (4)

### Negative Vote Leading to Non-Retention at Department Executive Committee

Year 6 negative vote or not heard in Year 6 5.136 (2)  
EC is not required to hear a case in Year 7 5.136(4)  
Department EC hears the case and votes for non-retention:  
Reasons must be formulated in writing before adjourning meeting 5.173  
Timeline for Department EC reconsideration 5.174  
Faculty Appeals & Grievances Committee 5.181  
Dean's action on negative vote by Department EC –dean must accept decision 5.175

### Negative Vote by the Divisional Committee

Negative vote by Divisional Committee and request by Department EC for reconsideration 5.177  
Even if negative vote still proceeds to Dean and Provost, Chancellor 5.176 (3)  
Both EC and DC decisions can be reconsidered. Only EC decisions are appealable.

Augmentation  
4.08 Exceptions

Post-Tenure Review  
3.145 Advice on Post-tenure Review

## **SOME ROLES OF THE DEPARTMENTAL EXECUTIVE COMMITTEE (EC)**

Review of untenured faculty yearly

Review of tenured faculty – five-year schedule (Post-tenure review)

Provide written criteria for tenure and promotion

Can delegate *specific matters* to a subcommittee by annual vote

Review of Faculty Members

- Procedures for review filed with dean. Keep a written record of review.

Extension of the Tenure Clock

- Written request from the faculty member must be submitted in a timely manner. Requests must be submitted before the beginning of tenure or renewal review. In case of childbirth/adoption/chronic illness/disability request goes directly to the provost
- Other requests are forwarded from the EC to the dean and the provost
- For childbirth/adoption may be multiple requests
- Provost approves after review by EC, dean and consultation with University Committee (UC). If childbirth/adoption/chronic illness/disability, consult with UC and EC, notification of dean.
- Denial of request shall be in writing to faculty member, EC, and dean. If request because of disability, will only go to faculty member.
- Faculty member can appeal to Faculty Appeals & Grievances Committee (FAGC).

## Tenure Considerations- More Detail from 5.15-5.18

- Decision of tenure must be made 12 months before completion of probationary period unless right is waived. EC must initiate process in enough time for notice that last year is terminal year if negative decision.
- EC may agree to review a case in terminal year, but is not required to do so.
  - First EC decides if they will hear the case-this is not a consideration of the case.
- Thirty-day notice must be given to candidate before case is heard. Meeting is held in closed session unless candidate requests open meeting. (Important to know the candidate's preference in advance to ensure solicitation of external letters indicates if letters will be confidential. If letter writer was told letter would be confidential, cannot be used in open meeting).
- No proxy votes are permitted. EC members can attend by phone or Teams, but must be present for entire discussion. Written ballots must be used and EC members must sign ballot. Qualtrics with signature can be used for this.
- If positive vote, dean asks DC to consider case. Dean does not have to accept DC recommendation but must transmit the case if EC forwarded a positive recommendation.
- If negative vote, EC must develop written reasons for vote before leaving the meeting. (This is really important—the kind of procedural error that can lead to an ad hoc committee)
- Candidate informed orally of decision and notified there are written reasons. Candidate may request written reasons within three working days
- Candidate may request reconsideration, five days after oral reasons are provided, two days after written reasons given. Meeting must be held within 15 working days of receipt of request (some considerations if at end of semester)
- A written notice of reconsideration meeting date must be provided to the candidate at least seven days prior to the meeting.
- Candidate can persuade EC by presenting new information of challenging reasons. The meeting is closed unless faculty requests open. Faculty can make presentation, have counsel, and ask for a recording of the meeting (therefore, the meeting must be recorded).
- If reconsideration vote is still negative, the recommendation is forwarded to dean with written reason(s). Dean must accept the EC's decision, but it is subject to appeal by the candidate

- A positive recommendation by the DC is transmitted to dean. If negative recommendation, within seven working days, EC chair is notified of vote and right to request reconsideration. EC shall request reconsideration within ten working days. Faculty member can ask EC to request reconsideration; however, EC is not required to do so. DC must reconsider within 15 working days of receipt of request but may be extended by mutual consent.
- No appeal of negative DC decision, but a complaint can be filed with UC about improper consideration.

#### Appeal of an EC Decision

- Filed with the UC for referral to FAGC within 20 working days of notice. FAGC reviews within 20 days – may be extended by mutual consent. Faculty member is notified at least ten working days of date of review. FAGC may move to de novo review.

#### Promotion to Full

- Associate professors may request a consideration for promotion to full professor. If asked, The EC is obligated to render a decision as to whether they will consider a formal review of the faculty member as per procedures outlined in section 5.20 of UWM P and P. Request must be addressed.
- The department EC may delegate to the tenured professors of the department the authority to make recommendations for promotions to the rank of professor.
- Where the observance of these rules is impracticable because of smallness of staff or lack of tenured personnel, the departmental faculty is authorized to request augmentation of small Departmental ECs. The dean may initiate augmentation if the departmental faculty fails to exercise such responsibility. Augmented members are appointed annually by the dean of the school or college, on advice of the UC, from tenured faculty members holding the rank of professor or associate professor in other departments of non-departmentalized schools. The need for an augmented EC shall be reviewed annually by the department faculty and the dean.

## THINGS THAT HAVE CAUSED PROBLEMS

1. Different colleges have different renewal patterns—some have 3,1,1 contracts, others have 3,3,1 contracts. The important point to remember is that there is a requirement of one year notice for the termination of employment.
2. The yearly review of non-tenured faculty can serve as a contract renewal if the following takes place: notification that the meeting is for contract renewal, proper notice of the meeting is given, and the individual understands that the meeting is for a contract renewal and there are rights of reconsideration and appeal
3. Written request for extension of the tenure clock must be filed in a timely manner and before the beginning of the tenure or renewal process. Denials of the request are appealed to the FAGC.
4. The Dean and the Provost will have deadlines that need to be adhered to in order to complete the process in a timely manner. The Secretary of the University's office will also have a timeline depending on notifications from the Divisional committee on meetings. There needs to be enough time to complete the process, including appeals, before 12 months prior to completion of the maximum probationary period. *Please adhere to deadlines.*
5. Many cases of non-retention that are eventually heard by a de novo committee are the result of procedural errors of the EC.
  - a. Notice periods must be adhered to. Thirty-day notice must be given before the case is heard.
  - b. If there is a reconsideration at the EC – dates must be adhered to
  - c. Reasons for non-retention must be formulated before the EC adjourns. If not, this is a procedural error that may lead to a de novo committee.
6. Being considered for tenure during Year 6 is a right. The candidate may opt out of consideration, but that is the candidate's decision. If the candidate does not opt out, they must be considered using all material including research products, teaching evaluations, demonstrations of service and outside letters. The EC may not decide in Year 6 to not obtain letters of evaluation for the candidate unless the candidate opts out of consideration.
7. The EC may decide not to consider a candidate before Year 6. The EC does not need to obtain letters to make this decision.
8. The EC may decide not to consider a candidate in Year 7. The EC may make this determination without obtaining outside letters.
9. If a candidate does not want to be considered in Year 6, the EC may not in Year 6 agree to hear the case in Year 7. The EC in Year 7 must make that determination.
10. Letters obtained with the expectation of confidentiality and a closed meeting may not be used if a candidate decides to change to an open meeting.
11. An EC member must be present in order to vote on a case. Proxy votes are not allowed. However, the EC member may attend by phone or skype.

12. A recording is made of a reconsideration meeting.
13. The EC is the body presenting a case to the DC and they determine how the case will be presented. The DC may request additional information. Only material submitted by the EC is considered.
14. If an associate professor asks to go up for promotion to full, EC must render a decision per P&P 4.05 (2)(c). If the EC refuses to hear a person wishing to go up for full there may be reasons for FAGC action



## Checklist for Tenure and Promotion Process

GENERAL INFORMATION:	
	<p>Probationary period for assistant professors is seven years unless an extension is requested per UWM P&amp;P 5.135 (3). <b><i>The process for tenure and promotion should be initiated early in sixth year.</i></b></p> <p><b>Department Executive Committee (EC)</b> must conduct annual reviews of probationary faculty per UWM Policies &amp; Procedures (P&amp;P) 4.05 (2).</p> <p>Every assistant professor must be considered for tenure and promotion unless s/he waives right to be reviewed (UWM P&amp;P 5.171-5.177). S/he may request consideration prior to sixth year.</p>
STEPS IN TENURE AND PROMOTION PROCESS:	
	<p>Executive Committee (EC) notifies, in writing, the faculty member <b>at least 30 days</b> prior to the meeting when the consideration will occur. Notification <u>must</u> state that the candidate:</p> <ol style="list-style-type: none"><li>1. is allowed to review and update cv and supporting materials before submission to EC;</li><li>2. can make presentation to the EC at the consideration meeting during open session; and</li><li>3. has right to request open meeting (default is closed meeting for deliberation and vote). If open meeting is requested, the entire meeting including the vote take place in open session. (see sample form <a href="https://uwm.edu/secu/wp-content/uploads/sites/122/2014/06/open-closed-meeting-request-department-divisional-1.pdf">https://uwm.edu/secu/wp-content/uploads/sites/122/2014/06/open-closed-meeting-request-department-divisional-1.pdf</a>)</li></ol>
	<p>EC chair must obtain letter from candidate stating preference for open or closed meeting. A meeting notice indicating whether the committee will go into closed session must be filed at least 24 hours before meeting. Online form: <a href="https://uwm.edu/secu/open-meetings/">https://uwm.edu/secu/open-meetings/</a></p>
	<p>EC chair sends letters to external reviewers requesting impartial evaluation of candidate. Include with the request: candidate's cv, evidence of scholarship and professional contributions, and department criteria for promotion.</p> <p>If candidate elects an open meeting, the letters to the reviewers should state that the evaluation will not be confidential.</p>
	<p>EC members should be given opportunity to review the letters and other materials prior to the consideration meeting.</p>
	<p>At the consideration meeting, the EC should move into closed session, unless the candidate has requested an open meeting. To move into closed session, the chair should announce in open session the nature of the business to be discussed and the</p>



	<p>specific statutory exemption which allows the committee to move into closed session. (Wisconsin Stats. 19.85(1)(b) for a tenure case). The motion must be carried by a majority vote, and the vote of each individual member must be recorded in the minutes (i.e. roll call vote or written ballot) unless the motion is unanimous. Once in closed session, the candidate may make presentation to the EC if s/he chooses and then may be excused.</p>
	<p>In closed session, a motion is made to grant tenure/promotion to associate professor. Deliberation occurs and then vote is taken by written ballot per UWM P&amp;P 5.162. The ballot should contain:</p> <ol style="list-style-type: none"> <li>1. Motion</li> <li>2. Date</li> <li>3. EC member's vote</li> <li>4. Signature of EC member</li> </ol> <p>Ballots should be retained confidentially in the departmental files and maintained for duration of the faculty member's employment at UWM.</p> <p>EC Members must be present to vote (electronic participation is allowed if the EC has agreed). Proxy votes are not permitted.</p>
	<p><b><u>If positive vote</u></b>, candidate's materials are submitted to the dean for transmittal to the executive committee of the appropriate division (DC). Transmittal letter from the EC to the dean must include the committee's recommendation <b>and</b> the recorded vote.</p> <p>The dean transmits materials to the <b>divisional executive committee (DC)</b> asking for its recommendation.</p>
	<p><b><u>If negative vote</u></b>, reasons for decision must be determined before rising from closed session or adjournment. <b><i>Reasons should not be recorded in the minutes.</i></b></p> <p>It is recommended that the EC chair write the reasons at the meeting according to the committee's discussion. The EC should ensure written reasons represent its decision accurately.</p> <p><b><u>Immediately</u></b>, the chair should orally inform the candidate of the decision and reasons.</p> <p>Candidate can request written reasons within three working days of meeting.</p> <p>Chair should provide written reasons as approved by the EC immediately.</p>
	<p><b><u>Reconsideration</u></b>- Must be requested within five (5) working days of receiving oral reasons or 2 working days of receiving written reasons.</p> <p>Reconsideration meeting must be held within 15 working days of receiving request, except if the last day of this period does not coincide with a regular day of instruction of any academic semester, including summer session.</p> <p>Written notice to candidate at least seven (7) working days before meeting.</p>

	<p>Purpose of meeting is to challenge stated reasons or offer new evidence.  Meeting is closed unless candidate requests it be open.  Candidate can present witnesses and have counsel present.  Candidate is provided with a tape recording of evidentiary and deliberative portions of the meeting.  If negative decision, reasons must be included (P and P, 5.174).</p>
	<p><b>Appeal process</b> – Faculty Appeals and Grievance Committee—see <a href="https://uwm.edu/secu/faculty/standing/fagc/">https://uwm.edu/secu/faculty/standing/fagc/</a> for procedures.</p>
	<p>If EC recommendation is positive, dean forwards material to DC for recommendation.</p>
	<p><b><u>Actions of the Divisional Committee (DC):</u></b>  Positive – Transmits positive recommendation to the Dean for action.  Negative – Within seven (7) working days submit notice to EC Chair.  EC is required to meet to discuss request for reconsideration of decision. The EC may elect not to request reconsideration.  Notice to faculty member – faculty member can request reconsideration from the DC of negative advice.  Reconsideration request must be made within ten (10) working days.  DC shall reconvene within 15 working days of receipt of request except if the last day of this period does not coincide with a regular day of instruction of any academic semester, including summer session.  Written notice of meeting given to faculty member at least seven (7) working days before meeting.  If no reconsideration requested, DC forwards advice to dean.  This is not appealable. (5.177)</p>
	<p>If dean does not accept DC advice, s/he notifies chairs of DC and EC and copies faculty member within a reasonable time.  Faculty member has 20 working days to request written reasons.  Dean must respond within ten (10) working days (5.176).</p>
	<p>All EC positive recommendations are forwarded to Chancellor.</p>

Division of Arts & Humanities <https://uwm.edu/secu/faculty/divisional/ah/>

Division of Natural Sciences <https://uwm.edu/secu/faculty/divisional/cgs/>

Division of General Studies <https://uwm.edu/secu/faculty/divisional/ns/>

Division of Professions <https://uwm.edu/secu/faculty/divisional/prof/>

Division of Social Sciences <https://uwm.edu/secu/faculty/divisional/ss/>

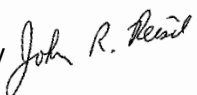


Secretary of the University

Lubar Hall N450  
414 229-5988 *phone*

## MEMORANDUM

TO: All Candidates for Promotion and/or Tenure

FROM: John R. Reisel, Ph.D., Secretary of the University 

DATE: May 2022

RE: Candidate's Rights Under Wisconsin State Open Meeting Law and  
*UWM Policies and Procedures*

This is to advise candidates of rights with regard to notification of decision of tenure, open meetings, and faculty tenure and promotion decisions. The following policies are in effect:

### **UWM Policy and Procedures, Chapter 5, Faculty Personnel**

#### 5.136 Notification of Decision of Tenure by Executive Committee

(1) A decision of tenure, favorable or unfavorable, must be made at least 12 months prior to the completion of the maximum probationary period (or equivalent), unless this right is waived, in writing, by the candidate. The executive committee must initiate the review process soon enough to allow for the required notification listed in Chapter 5.19 (3) to take place following a negative decision. If the decision is negative, the appointment for the following year becomes a terminal one.

(2) After a negative decision, the executive committee may agree, but is not required, to conduct a tenure review and render a decision during the terminal year. A decision to conduct a tenure review in the terminal year will be communicated to the candidate in writing.

(3) A faculty member who waives his/her right for tenure review or who submits their resignation, may serve out the terminal year without a tenure decision being rendered.

(4) A faculty member who waives his/her right for a tenure review prior to the terminal year, may request, in writing, to be reviewed during their terminal year. The executive committee, at its discretion, may or may not agree to conduct a tenure review during the terminal year. Its decision will be communicated to the candidate in writing.

### **UWM Policy and Procedures, Chapter 3, Faculty Divisional Systems**

Invitation to Departmental Observer: According to legislation [Chapter 3.04(2)] adopted by the faculty senate in February 1994, the divisional executive committee shall invite the executive committee of the candidate's department to designate one of its members who is not currently serving on the divisional executive committee to observe the deliberation and voting on the committee's recommendation. Also, members of the candidate's department, chosen by the department's executive committee, shall be provided the opportunity to present the candidate's case during the evidentiary phase of the divisional committee's meeting. These provisions apply whether the divisional executive committee is open or closed. There is no requirement that the candidate have an open meeting.

### **Wisconsin Statutes 19.85 (1) (b) and 19.85 (1) (c) Exemptions to Wisconsin Open Meeting Law**

Candidates Seeking Tenure Status: Wis. Stats. 19.85(1) (b) states that candidates seeking tenure have the right to request an "open meeting"; that is, the executive committee meeting is open to the public and no confidential material is entered as evidence. This right may be exercised at both the departmental and divisional executive committee meetings.

Candidates Seeking Promotion Only: Wis. Stats. 19.85(1) (c) states that meetings held for the purpose of promotion, compensation, or performance evaluation are exempt from the open meeting law; i.e., candidates for promotion where tenure is not involved do not have a statutory right to an open meeting. However, in Chapter 3.14(3) of the UWM *Policies and Procedures*, the faculty senate has extended to candidates seeking promotion to full professor the right to an open meeting of the divisional executive committee. There is no similar conferral of that right at the departmental executive committee level of review. The departmental executive committee is not, therefore, obliged to honor a request for an open meeting when considering promotion to full professor, but may do so if it chooses.

Solicited confidential letters of evaluation cannot be used to aid either the departmental or divisional executive committee's decision when the meeting is open. If, following a closed meeting at the departmental level, you choose to exercise your right to an open meeting at the divisional level all confidential letters of evaluation will be removed from the tenure or promotion file. It will be your responsibility, and that of your chairperson, to replace the confidential letters with non-confidential letters of evaluation. Since the divisional executive committee will take no action until your file is complete, a change from a closed to an open meeting could result in significant delays in your tenure consideration.

### **Candidate Statement regarding rights under Wisconsin Statutes 19.85 and UWM Policies and Procedures, Chapter 3.14 (3)**

When submitting documents to the dean and the divisional executive committee for tenure or promotion, the candidate is required to:

1. include a signed statement indicating his or her understanding of rights under 19.85, Wis. Stats. or 3.14(3), UWM *Policies and Procedures*, and
2. indicate whether the divisional executive committee meeting is to be open or closed.

It is imperative that the candidate follows divisional directions for the submission of promotion/tenure materials. Failure to adhere to these directions could result in materials being returned to the departmental executive committee.

Copies of UWM Policies and Procedures Chapter 3.14 "Advice on Tenured Appointment as Professor or Promotion to Professor" and Wisconsin Statute 19.85 can be found at:

UWM Policies and Procedures: <https://uwm.edu/secu/policies/faculty>

Wisconsin Statute 19.85, Exemptions to Open Meetings Law:

<https://docs.legis.wisconsin.gov/statutes/statutes/19/V/85>

For additional information or assistance please contact me at [reisel@uwm.edu](mailto:reisel@uwm.edu) or 229-5988 or Christine Roberson, Divisional Committee Coordinator, at [roberson@uwm.edu](mailto:roberson@uwm.edu) or 229-5996.

## **Procedures for Considering Cases for Promotion in Closed Session of Divisional Executive Committees**

The Divisional Executive Committees should adhere to the following procedures when considering cases for promotion to the rank of Associate Professor with Tenure and cases for promotion to the rank of Professor.

- 1. Entering Closed Session.** Whenever the candidate for promotion has waived his/her right to an open meeting, the Committee begins by adopting a motion to enter Closed Session. The time at which the Committee enters Closed Session is noted in the minutes. The following steps must precede a closed session (s. 19.85 (1), Stats.):
  - The body must first convene in open session.
  - A member of the body must move that the body convene in closed session, stating the nature of the business to be considered in closed session.
  - The chairperson must reiterate the nature of the business to be considered in closed session and cite the relevant exemption under s. 19.85 (1), Stats. that provides authority for the closed session.
  - The contents of the announcement must be recorded in the minutes of the meeting. The motion must be passed by a majority vote of those present. The vote of each member on the motion to close the session must be ascertained and recorded in the meeting's minutes, if the vote is not unanimous.
  
- 2. Guests.** The Committee may admit guests from the candidate's department during the closed session of the meeting. These guests may include the Chair of the Department seeking promotion of one of its members and other members of that Department that the Department Chair considers helpful in presenting information or answering questions about the case. An observer may also be present (see below). The candidate may also address the committee. Minutes of the meeting should indicate the names of the guests.

A closed session committee meeting has two parts—the evidentiary/discussion part and the deliberation part. If guests (other than the observer) are admitted for the evidentiary/ discussion part of the meeting, they must leave during the deliberations and vote.
  
- 3. Motion.** The Chair asks if any member wishes to propose a motion to recommend to the dean that the candidate be promoted (or appointed) and/or granted tenure. The Chair asks for a second to the motion
  
- 4. Discussion.** The Committee engages in discussion of the motion. During this discussion, the members of the Committee may ask the Guests questions about the case, including questions regarding the content of outside letters of evaluation and questions regarding the identities and qualifications of the evaluators. The committee must be in closed session to discuss letters that were solicited in a confidential manner.

5. **Deliberation.** When the Committee has completed its questioning of the guests, the Committee enters the deliberation stage. At this point, only the Observer designated by the candidate's Department remains in the room. As soon as deliberations begin, the Observer is not to ask or answer questions. His/her role is to monitor the deliberations for any possible violations of policies and procedures.
6. **Vote.** At the conclusion of deliberations, the Committee takes a vote on the motion, using signed paper ballots. Ballots should be cast and collected in the closed session and placed in an envelope marked confidential. When the committee reconvenes in open session, the results of the vote should be announced.

Wisconsin Open Meetings Law (WOML) prohibits the use of secret ballots except for the election of officers to the government body (s. 19.88 (1), Stats.). In addition, WOML requires all motions and roll call votes to be recorded, preserved and open to public inspection to the extent allowed under the Wisconsin Public Records Law and any ballot, regardless of form, to be taken in such a way that members' votes may be ascertained and recorded if a member of the body makes such a request at the time the vote is taken (s. 19.88 (2) and (3), Stats.). Thus, the meeting's minutes must record how each member voted on roll calls, and each paper ballot must identify the member voting, as well as that member's vote.

7. **Oral Report to the Candidate's Department.** The Committee may authorize its Chair, or another member, to inform the candidate's Department Chair about the Committee's deliberations. The purpose of this report is to convey the general tone of the deliberations, so that the Department understands any weaknesses that the Committee saw in the candidate's record, along with any other information that may be helpful in advising the candidate regarding future professional activities. This oral report is distinct from the written, formal letter is submitted to the candidate's department regarding the outcome of the committee's vote. The written letter should limit its description of a candidate's weaknesses to state that "the candidate did not meet the criteria for scholarship/ teaching/research." The Committee may not authorize its Chair, or other representative, to forward specific information regarding the identities of Committee members that took particular positions on the case.
8. **Observer.** The Divisional Executive Committee shall invite the executive committee of the candidate's department to designate one of its members who is not currently serving on the Divisional Executive Committee to observe the deliberation and voting on the committee's advice. If an observer is present, they should be informed of their obligation to maintain all discussion during deliberations to be considered confidential and that the content of the deliberations shall not be reported to the observer's executive committee or any member of the faculty.

**Recommendation of the University Committee to  
Revise the Post-Tenure Review Policy**

**Post-Tenure Review Policy**

**I. RATIONALE**

The UWS Board of Regents adopted its Guidelines covering the review and development of tenured faculty on March 10, 2016. Each UWS institution has been directed to develop its own policy consistent with the Board's policy that includes the following elements:

- A. Provision for a review, at least once every five years, of each tenured faculty member's activities and performance, in accordance with the mission of the department, college, and institution.
- B. Effective criteria against which to measure progress and accomplishments of faculty during this review and a description of the methods for conducting the evaluation.
- C. Delineation of responsibilities for conducting reviews.
- D. Means by which the merit process and faculty review and development process may be linked and used to facilitate, enhance and reward outstanding performance.
- E. Procedures defining means for remedying problems in cases where deficiencies are revealed.
- F. Provision for a written record of each faculty review; designation of the location for the written record of post-tenure review.
- G. Nothing in this policy is intended to alter the existing rules dealing with tenure determination.

**II. GENERAL PRINCIPLES**

Given the mission of UWM and the currently codified expectations of the faculty role, three general principles are operative, namely tenured faculty review and development activities are designed (1) to develop the talents of the faculty member, (2) to enhance the academic program(s) to which the faculty member contributes, and (3) to protect the right of open and free inquiry (academic freedom).<sup>\*</sup> Strong academic programs housed within equally strong departments (or equivalent units) are the sure and demonstrable measure of UWM's accountability to the citizens of the State of Wisconsin. With the general tenets of academic freedom as its basis, the strength of academic programs depends on the right of open inquiry and maximum use of faculty talent in teaching, research, outreach and service. The UWM faculty envision the review of tenured faculty as one that focuses on collegial assessment and provides an opportunity for faculty to review past performance and develop future plans.

Appendix I contains examples of characteristics of effective departmental review procedures. Appendix II contains recommendations for departments on guidelines they should consider adopting regarding annual and post-tenure reviews. Appendix III contains a timeline for actions and their corresponding deadlines.

### III. PROCEDURES

A. In keeping with the principles stated above, all tenured faculty members will develop a written 5-year development plan within the context of the overall mission of the Department and consistent with the department's criteria for post-tenure reviews. As annual reviews are conducted and appropriate modifications made, these plans may be modified while still maintaining a 5-year prospective timeline. Specifically:

1. The Faculty Development Plan will include planned activities in teaching, research and service/outreach. The Plan should not ordinarily exceed five pages.
2. The Department Executive Committee will ensure that the collective Faculty Development Plans for its Department meet the overall mission of the Department and that they provide sufficient flexibility to accommodate faculty with differing responsibilities.
3. Faculty Development Plans and any modifications resulting from regular reviews must be filed with the department's dean.<sup>1</sup> These modifications resulting from regular reviews shall not ordinarily exceed two pages.

B. Comprehensive post-tenure reviews shall occur at least once every five years. The post-tenure review period begins in the academic year following the granting of tenure. Deferral of the review may be requested by the faculty member scheduled to be reviewed. Reasons for such a request include, but are not limited to, the review coinciding with approved leave, other appointments, and pending announced retirement. A deferral request must be approved by the department executive committee(s), dean(s), and provost, except in the case of a faculty member holding a full-time administrative appointment. For such a case, the deferral request needs only approval by the provost. If a deferral is granted, the provost will specify the new review cycle that applies to the faculty member. The periodic post-tenure review may substitute for annual review in the year a faculty member is scheduled for such review.

C. A review for promotion consideration may be considered as a comprehensive post-tenure review. An individual receiving a positive recommendation for promotion consideration will be considered as having met expectations in the post-tenure review. If the individual receives a negative recommendation for promotion consideration, the executive committee will subsequently vote on the post-tenure review determination as specified in Section III.F.5 below.

D. The department chair will provide written notice of the post-tenure review to the faculty member at least 3 months prior to the commencement of the review. If a post-tenure review is to be conducted during the first month of an academic year's contractual period, the faculty member should receive written notification of the post-tenure review no later than April 1 of the previous academic year.

E. The department's executive committee shall form a review committee consisting of at least two tenured faculty members of the department to conduct the review. The entire executive committee, excluding the faculty member being reviewed, may serve as the review committee if the executive committee so chooses. If there is an insufficient number of tenured faculty members in the department, the executive committee of the department may be augmented following UWM Faculty P&P 4.08. In the case of a faculty member with appointments in more than one department, the department chairs of the involved departments shall agree on procedures for the conduct of the review.



F. Department review procedures shall include

1. A review of the qualitative and quantitative evidence of the faculty member's performance over at least the previous five-year period. The evidence should include a current curriculum vitae, annual activity reports, teaching evaluations or summaries of evaluations, and other materials providing evidence of the faculty member's accomplishments and contributions that the department or the faculty member feel are relevant to the review. The review committee should be provided with the faculty member's Faculty Development Plan, and their review should be based on the department's post-tenure review criteria and the faculty member's performance with respect to their Plan. The review committee shall examine materials to the degree needed to accomplish the purposes of the review.
2. Discussion with the faculty member about his or her contributions to the profession, the department, and the university if either the review committee or the faculty member so desire.
3. Appropriate consideration of a faculty member's contributions outside the department to interdisciplinary and other programs, governance, administration, and other forms of service to the university and the community.
4. Other steps the review committee considers useful in making a fair and informed judgment, including but not limited to consultation with individuals who have knowledge of the faculty member's work.
5. The review committee will prepare a report addressing the question of whether the faculty member "meets expectations," or "does not meet expectations." The result of the review will be communicated to both the executive committee and the faculty member being reviewed within 10 working days of the commencement of the review. The faculty member may provide a written response to the review to the executive committee prior to the executive committee voting on the recommendation.
6. Within 10 working days of receiving the recommendation, the executive committee will meet to assess the findings of the review committee.
7. The executive committee will vote by written ballot whether the faculty member "meets expectations". The result of the vote shall be recorded in the minutes of the executive committee.

G. For executive committee reviews resulting in "meets expectations"

1. The chair of the executive committee shall provide the faculty member with a written statement of the review within 10 working days of the determination. The faculty member shall have the right to submit a written response within 10 working days of receipt of the statement from the chair of the executive committee. The chair of the executive committee will forward the written statement of the review and the faculty member's response, if received, within 5 working days of the deadline for receiving the faculty member's response to the dean(s), provost, and chancellor.
2. The dean(s) shall conduct a sufficiency review to ensure that the executive committee's review was conducted according to the criteria and procedures established by the executive committee and that the results of the review are within reasonable expectations for a faculty member. In the event that the dean(s) considers that the review was insufficient, he/she shall provide the reasons to the executive committee in writing why the review was insufficient within 5 working days of receiving the report. The executive committee may provide a response addressing the dean's concerns about the sufficiency of the review within 10 working days. The dean(s) may conduct an independent

review of the submitted materials. As part of the independent review, the dean(s) shall request advice from the appropriate divisional executive committee which shall be provided with all submitted materials for the review. The dean(s) shall request advice from the divisional committee within 5 working days of receiving the report, and the divisional committee will provide their advice within 20 working days of receiving the request from the dean(s). The divisional committee's advice should include whether the faculty member "meets expectations" or "does not meet expectations" along with rationale. The dean will then make a recommendation to the Chancellor on whether or not the faculty member "meets expectations" or "does not meet expectations".

H. For executive committee reviews resulting in "does not meet expectations"

1. The executive committee shall provide the faculty member with a written summary of the review within 10 working days of the decision. The faculty member shall have the right to prepare a written response to the summary within 10 working days after receipt of the summary.
2. The executive committee decision, along with any additional response from the faculty member, will be transmitted to the dean(s) within 5 working days after the faculty member's written response deadline. The dean(s) will perform their own review, including a request for advice from the appropriate divisional executive committee, which also will be provided with the executive committee decision and any additional faculty response. (See UWM P&P, Ch.3 Sec 3.20 "Advice on other Personnel Matters.") The dean(s) shall request advice from the divisional committee within 5 working days of receiving the report, and the divisional committee will provide their advice within 20 working days of receiving the request from the dean(s). The divisional committee's advice should include whether the faculty member "meets expectations" or "does not meet expectations" along with rationale.

I. For dean reviews resulting in

1. "Meets expectations," a copy of the summary shall be placed in the department's file of post-tenure reviews. The department shall also preserve in this file all documents that played a substantive role in the review (other than documents such as publications that are readily accessible elsewhere). The dean(s) shall make every effort to offer tangible recognition to those faculty identified as "meets expectations", including but not limited to increased monetary compensation and nomination for university, national and international awards.
2. "Does not meet expectations," the dean(s) must provide written reasons to the faculty member for the decision within 10 working days of receiving advice from the divisional committee. The faculty member may provide a written response to the dean(s) within 10 working days upon notification of the decision. This statement can include new documentation on the faculty member's activities.

J. Within 5 working days of the end of the faculty member written response deadline, the dean(s) will forward their review, which includes the advice from the divisional committee, the executive committee's review, and any written response statements from the faculty member, to the provost and the chancellor (or designee). The chancellor (or designee) will review the case, and following the chancellor's (or designee's) review, the faculty member will be informed by the chancellor (or designee) of the final determination of the review. This result

shall be provided to the faculty member in writing no later than 20 working days prior to the end of the academic year during which the post-tenure review is conducted.

K. In the event that the chancellor's (or designee's) review results in a "does not meet expectations" designation, the faculty member and the department chair on behalf of the executive committee, in consultation with the dean, shall develop a written plan for mentoring and professional development to address all issues identified in the review. While the goal is for the plan to be developed collaboratively, if that is not obtainable, the dean has the responsibility to select the plan that will be implemented. This plan shall be completed no later than 20 working days after the chancellor (or designee) has informed the faculty member of decision. This plan should be the product of mutual discussion between the faculty member, the chair, and the dean(s), shall respect academic freedom and professional self-direction, and shall be flexible enough to allow for subsequent alteration. Such a plan could include review and adjustment of the faculty member's responsibilities, development of a new research program or teaching strategy, referral to campus resources, assignment of a mentoring committee, institution of mandatory annual reviews for a specified period, written performance expectations, and/or other elements.

L. A faculty member who has received a "does not meet expectations" review will have three academic semesters to fully satisfy all the elements of the remediation plan. If the remediation plan includes performance shortfall in research, an extension of one academic semester may be granted by the chancellor (or designee). In such a case, the chancellor (or designee) will notify the UW System Administration Vice President for Academic and Student Affairs of the extension.

M. The process for determination of the successful completion of the remediation is as follows.

1. The faculty member will submit documentation of his or her activities that address issues identified in the remediation plan to the faculty member's executive committee. This documentation will include any information that the faculty member deems relevant. This documentation can be provided at any time during the remediation period but must be provided no later than 4 weeks before the end of the remediation plan period.
2. Within 10 working days, the executive committee will review the materials submitted, and will make a determination as to whether all elements of the remediation plan have been satisfied. The executive committee will formulate a written explanation for their determination. The executive committee will then submit the faculty member's documentation along with their determination to the dean(s).
3. The dean(s) will review the materials submitted and the executive committee's determination. If the dean(s) determine that all elements of the remediation plan have been satisfied, the faculty member's performance is to be considered to "meet expectations."
4. The next post-tenure review evaluation of a faculty member who has satisfied all the elements of the remediation plan will be no later than 5 years after the previous post-tenure review.
5. If the dean(s) determines that the faculty member has not satisfied all elements of the remediation plan, then within 10 working days the decision and written reasons for this decision are provided to the faculty member, the provost and the chancellor, or designee. Within 5 working days of receiving the notification from the dean(s), the faculty member can submit to the chancellor (or designee) an additional written statement addressing the decisions made by the executive committee and the dean(s).
6. If the dean(s) determines that the faculty member has failed to meet the expectations set forth in the remediation plan, discipline may be imposed as listed in UWM P&P 5.43. The chancellor will notify the University Committee of the intention to pursue disciplinary action of a faculty member prior to the

initiation of the process. If discipline other than dismissal for cause is to be pursued, the procedures outlined in UWM P&P 5.41-5.47 will be followed. If dismissal for cause is to be pursued, the procedures outlined in UWM P&P 5.23-5.29 will be followed.

#### IV. ACCOUNTABILITY

- A. Copies of the departmental criteria and procedures for reviews of tenured faculty shall be filed with the appropriate dean, the provost, and the secretary of the university.
- B. At the beginning of each academic year, the chair shall identify faculty to be reviewed during the academic year, and the executive committee shall establish a calendar for reviews.
- C. Departments shall maintain a record of review completed, including the names of all reviewers.
- D. At the end of each academic year, department chairs shall send a report to the appropriate deans listing the names of faculty members reviewed during that academic year and summarizing the outcomes of those reviews. The dean(s) will submit these reports to the provost.
- E. If a department fails to conduct requisite reviews by the end of the academic year, the dean shall appoint reviewers to conduct reviews based on the department's specified criteria.

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(\*Open and free inquiry provides for the freedom to pursue novel, unpopular, or unfashionable lines of inquiry.)

<sup>1</sup> Development plans are subject to the routine review by respective school or college deans.

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## **UWM Tenured Faculty Review and Development Policy**

### **Appendix I**

#### **Some characteristics of departments with effective tenured faculty review and development procedures**

##### General Principles

An effective, supportive tenured faculty review and development program:

1. acknowledges that a faculty career can evolve over time, can have different emphases at different periods, and is best evaluated over periods longer than one year.
2. formulates and communicates clear expectations of faculty work within the context of the department mission,
3. recognizes the need to improve regularly the procedures and documentation used to evaluate faculty work.
4. includes procedures that encourage individuals to work and review each other collaboratively.
5. provides incentives for faculty members to do better what they already do well and to pursue professional development and curricular innovation.
6. has a prospective as well as a retrospective component, that is, encourages the individuals to outline future activities in the context of department, unit, and campus needs.
7. includes qualitative and quantitative measures of performance.

##### Teaching

An effective, supportive tenured faculty review and development program:

1. recognizes that reviewing teaching involves **not only** the evaluation of classroom technique and the use of standardized student evaluation forms **but also** regular, direct peer review of teaching through classroom observation, syllabus and test review, etc.
2. uses student evaluation instruments that are reliable and valid, and that members have confidence in.
3. makes regular and consistent attempts to harmonize individual teaching interests and the needs of the program/department.
4. encourages individuals wishing to develop new expertise, new courses, and new ways to organize curriculum.

5. clearly distinguishes between adequate and inadequate performance.
6. includes actual student results as one measure of individual effectiveness.
7. recognizes and rewards other forms of teaching such as advising, directing theses, coordinating multi-section courses, directing faculty development and curriculum workshops, etc.

### Scholarship

An effective, supportive tenured faculty review and development program:

1. understands that scholarship can be expressed in a variety of appropriate ways (e.g., advancing knowledge; synthesizing and integrating knowledge; applying knowledge; crafting knowledge by engaging with community and the public; generating knowledge through creative and imaginative work; and representing knowledge through teaching. cf. Scholarship Reconsidered, Boyer Report)
2. encourages each of these scholarly activities appropriately within the context of the department's mission and that of the institution.
3. clearly distinguishes between adequate and inadequate work.
4. encourages innovative directions.
5. encourages the **application** of scholarly expertise as well as its **publication**.

### Service

An effective, supportive tenured faculty review and development program:

1. encourages faculty members to use their expertise on campus and in the larger community.
2. lays out clear expectations for all members of the department.
3. clearly distinguishes between adequate and inadequate work.
4. encourages and rewards faculty members for appropriate service to the profession.

## **UWM TENURED FACULTY REVIEW AND DEVELOPMENT POLICY**

### **APPENDIX II**

#### **Guidelines for Conducting Faculty Review and Development Activities within Departments**

Departments and their respective schools/colleges are strongly encouraged to consider using these guidelines:

1. Departments will develop a statement of criteria for annual compensation and comprehensive post-tenure reviews that is based upon the Department Mission Statement that is sensitive to strengths of individual faculty, and clearly tied to Faculty Development Plans. It is suggested that the five-year post-tenure review criteria be based on the department's annual solid performer criteria. This statement and the procedures listed below will be sent to all department faculty and filed with the unit's dean.
2. Executive Committees will use Faculty Development Plans and appropriate supporting evidence in their annual reviews for compensation and comprehensive post-tenure reviews. These reviews will incorporate the progress made by a faculty member and the quality of his/her contributions in meeting the expectations outlined in the plan. Faculty will be rewarded accordingly.
3. For annual reviews, each reviewed faculty member will be provided with a written statement of assessment and compensation recommendations. This statement will use the Faculty Development Plan as its basis.
4. For annual reviews, chairs (or designee) will go over the written statement with each faculty member. The faculty member shall have the opportunity to provide additional written comments, which must be attached to the written statement.
5. Annual written statements of review and confirmation of the personal interview will be placed in each faculty member's personnel file in the school/college dean's office.
6. Department Chairs and Executive Committees are strongly encouraged to discuss developmental expectations with individual faculty members throughout the year.
7. Department Executive Committees are strongly encouraged to pursue formal training in personnel evaluation.
8. Campus administrators are strongly encouraged to work with faculty bodies to provide adequate financial support for faculty development activities.

## UWM TENURED FACULTY REVIEW AND DEVELOPMENT POLICY

### APPENDIX III

#### Post-Tenure Review Timelines

For all post-tenure review designations:

Action	Deadline
Notification of faculty member of post-tenure review – case’s initial consideration date	3 months prior to the review committee’s meeting on the case (or April 1 of prior academic year if the case is scheduled to be heard in the first month of the academic year)
Review Committee recommendation to Executive Committee	10 working days after the date of the commencement of the review
Executive Committee vote	10 working days after receiving Review Committee recommendation

For designations by the executive committee of “Meets Expectations:”

Action	Deadline
Executive Committee informs the faculty member of the decision	5 working days after the Executive Committee vote
Faculty response to report	10 working days after receipt of report for designation
Executive Committee transmittal of report to dean, provost, and chancellor	5 working days after the faculty response to the executive committee deadline
Dean’s written feedback to Executive Committee on sufficiency	5 working days after receiving report from the Executive Committee
Executive Committee response to Dean regarding sufficiency	10 working days after receiving Dean’s feedback
Dean request for divisional committee advice	5 working days after Executive Committee response to Dean’s feedback on sufficiency
Divisional Committee advice to dean	20 working days after committee’s receipt of the request
Dean decision	10 working days after receiving advice from divisional committee

Note: If the dean accepts the Executive Committee designation of “Meets Expectations”, the review process ends at that point, and the report is placed in the department files.



For designations by the executive committee of “Does Not Meet Expectations:”

<b>Action</b>	<b>Deadline</b>
Delivery of written summary to faculty member	5 working days after executive committee vote
Faculty response to report	10 working days after receipt of report for designation
Executive Committee transmittal of report to dean	5 working days after the faculty response to the executive committee deadline
Dean request for divisional committee advice	5 working days after receiving report
Divisional Committee advice to dean	20 working days after committee’s receipt of the request
Dean decision	10 working days after receiving advice from divisional committee
Faculty response to dean decision	10 working days after notification
Dean submission of report to chancellor, provost, and faculty member	5 working days after the end of the faculty response to the dean deadline
Chancellor notification of faculty member of “Does Not Meet Expectations” designation	20 working days prior to end of academic year
Creation of remediation plan	20 working days after the chancellor has informed the faculty member of the decision.

Consideration of Remediation Actions:

<b>Action</b>	<b>Deadline</b>
Faculty submission of documentation of completed remediation	4 weeks prior to the end of the remediation plan period
Executive Committee determination of whether the remediation plan is satisfied / transmission of materials to dean(s)	10 working days after the receipt of documentation from faculty member
Dean transmission of decision to faculty member, provost, and chancellor	10 working days after receipt of executive committee decision
Faculty member response to chancellor	5 working days after receiving dean decision

Division of Professions  
*Executive Committee*

## **DIVISION OF PROFESSIONS POST TENURE REVIEW PROCEDURES**

**May 2018**

This document lays out the procedures and criteria that the Committee will use to advise the Dean about whether the Departmental Executive Committee judgment is justified.

Upon the vote of a Departmental Executive Committee that a tenured faculty member has failed to meet expectations relative to the departmental criteria and a 5-year Faculty Development Plan on file (UWM Faculty Document No. 3083), the Dean of the relevant college will seek the advice of the Division of Professions Executive Committee. The role of the Divisional Executive Committee is to determine whether or not sufficient reasons are provided for the judgment of the Department and submit that evaluation to the Dean.

The Dean's request for advice will be forwarded to the Chair of the Divisional Executive Committee, along with files prepared for a Departmental recommendation from a faculty member's post-tenure review in accordance with the outline provided below. The Committee strongly urges the Department to refer to the checklist to ensure that the file conforms to the content and organization requirements. The Committee will return incomplete files that do not follow the provided outline. Completed files should be sent to the appropriate Dean, and not directly to the Divisional Executive Committee. After a sufficiency examination by the Dean, the Dean should transmit the file to the Divisional Executive Committee, along with a request for advice.

1. The materials forwarded to the Divisional Executive Committee should include: 1) the Primary File, 2) the Appendix, and 3) the transmittal letter from the Dean, requesting advice from the Division of Professions Executive Committee on the extent to which sufficient reasons are provided for the judgment of the Department. A checklist of the content to be included in the Primary File and Appendix is located in Appendix A.
2. Once the Dean has requested advice from the Divisional Executive Committee and electronically transmitted the materials described above, the Committee will review the materials and set a meeting date and time.
3. At the meeting of the Division of Professions Executive Committee, a representative of the Departmental Executive Committee will make a presentation to the Divisional Committee, answering their questions about the documentation provided. Discussion will center on the extent to which the Department adhered to their criteria and policies for post tenure review, and not on the qualities of the faculty member.
4. The faculty member will have the opportunity to make a presentation and answer questions from the Divisional Executive Committee at the same meeting, without the representatives of the department EC present.

5. Following review of materials and discussion, the Divisional Executive Committee members will discuss and vote on:
  - a) whether or not the process followed by the Department was sufficient, and if so,
  - b) to the extent possible, given the information available, whether or not the candidate meets expectations.

A vote of “sufficient” means the Divisional Executive Committee assesses the process followed by the Department as adhering to the policies outlined in UWM Faculty Document 3083 and finds that the decision made by the Department is supported by the provided documentation and description of process. A vote of “insufficient” means the reasons for the Department’s decision are not sufficiently supported by processes and/or documentation.

6. The outcome of the vote is then transmitted to the Dean within 10 business days, for their further consideration.

SAMPLE

## APPENDIX A

### Checklist for Post-Tenure Review Files Submitted for Review to the Division of Professions Executive Committee

The following is a checklist for materials that must be included in the file of Deans seeking advice on Departmental votes during post-tenure review. It is to be completed by the chair of the relevant

(department, college, or school) executive committee or individual (other than the faculty member) responsible for forwarding the file.

Submit a digital version of all materials. The digital version must be transmitted via a flash drive or OneDrive/SharePoint link. (Please note that the entire path, including the file name and folder names, must contain fewer than 200 characters.)

<b>A. Primary file (in chronological order):</b>	
	Index
	Faculty member's Name, email address, and phone number
	Name of Department Chair or Contact, email address, and phone number
	A letter from the Chair of the Department Executive Committee describing attendance at the Executive Committee meeting and the vote (ayes/nays/abstentions)
	<p>A copy of the Department's post tenure review policy/procedures and criteria guiding the review - these should have been approved by the Department Executive Committee prior to the construction and approval of the faculty member's 5-year Faculty Development Plan.</p> <ul style="list-style-type: none"> <li>• If Departmental post-tenure review criteria have changed since the approval of the faculty member's 5-year Faculty Development Plan, these should also be provided.</li> </ul>
	The Department Executive Committee's written summary of the review, including but not limited to: a description of the process followed by the reviewers and Department, and pertinent points leading to the Department vote
	Evidence of the expectations for the faculty member, including their latest 5-year Faculty Development Plan and prior reviews conducted by the Department

	Other relevant evidence considered by the Departmental Executive Committee in their decision
	The faculty member's written response (if any) to the summary
<b>B. Supplementary Materials:</b>	
	The Department Chair's dated, written notice of the post-tenure review to the faculty member.
The faculty member's:	
	Current curriculum vitae
	Annual activity reports and/or merit reports during the period under review
	Materials providing evidence of the faculty member's research, teaching, and service activities during the review period, as well as all other activities that are relevant to the review
	<p>A timeline or calendar of relevant events between the submission and Departmental approval of the faculty member's 5-year Faculty Development Plan, and the vote by the Departmental Executive Committee; this timeline should include dates of:</p> <ul style="list-style-type: none"> <li>i. Review and approval of the 5-year Faculty Development Plan by the Departmental Executive Committee;</li> <li>ii. Completion of annual reviews;</li> <li>iii. Faculty member notification of the Post-Tenure Review and completion dates; and</li> <li>iv. Date of Departmental Executive Committee vote on the post-tenure review of the faculty member.</li> </ul>

Post-Tenure Review Procedures and Checklist for each Divisional Executive Committee can be found at:

Division of Arts & Humanities <https://uwm.edu/secu/faculty/divisional/ah/>

Division of Natural Sciences <https://uwm.edu/secu/faculty/divisional/ns/>

Division of General Studies <https://uwm.edu/secu/faculty/divisional/cgs/>

Division of Professions <https://uwm.edu/secu/faculty/divisional/prof/>

Division of Social Sciences <https://uwm.edu/secu/faculty/divisional/ss/>

# The Academic Staff

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**Academic Staff member** – Professional and administrative personnel other than faculty and University staff with duties, and subject to types of appointments, that are primarily associated with higher education institutions or their administration.

## **Functional Areas**

There shall be two functional areas within the academic staff:

- **Non-Instructional:** Academic staff members who primarily carry out noninstructional and non-research academic responsibilities.
- **Instructional and Research:** Academic staff members who primarily carry out instructional and/or research responsibilities.

## **Indefinite Status**

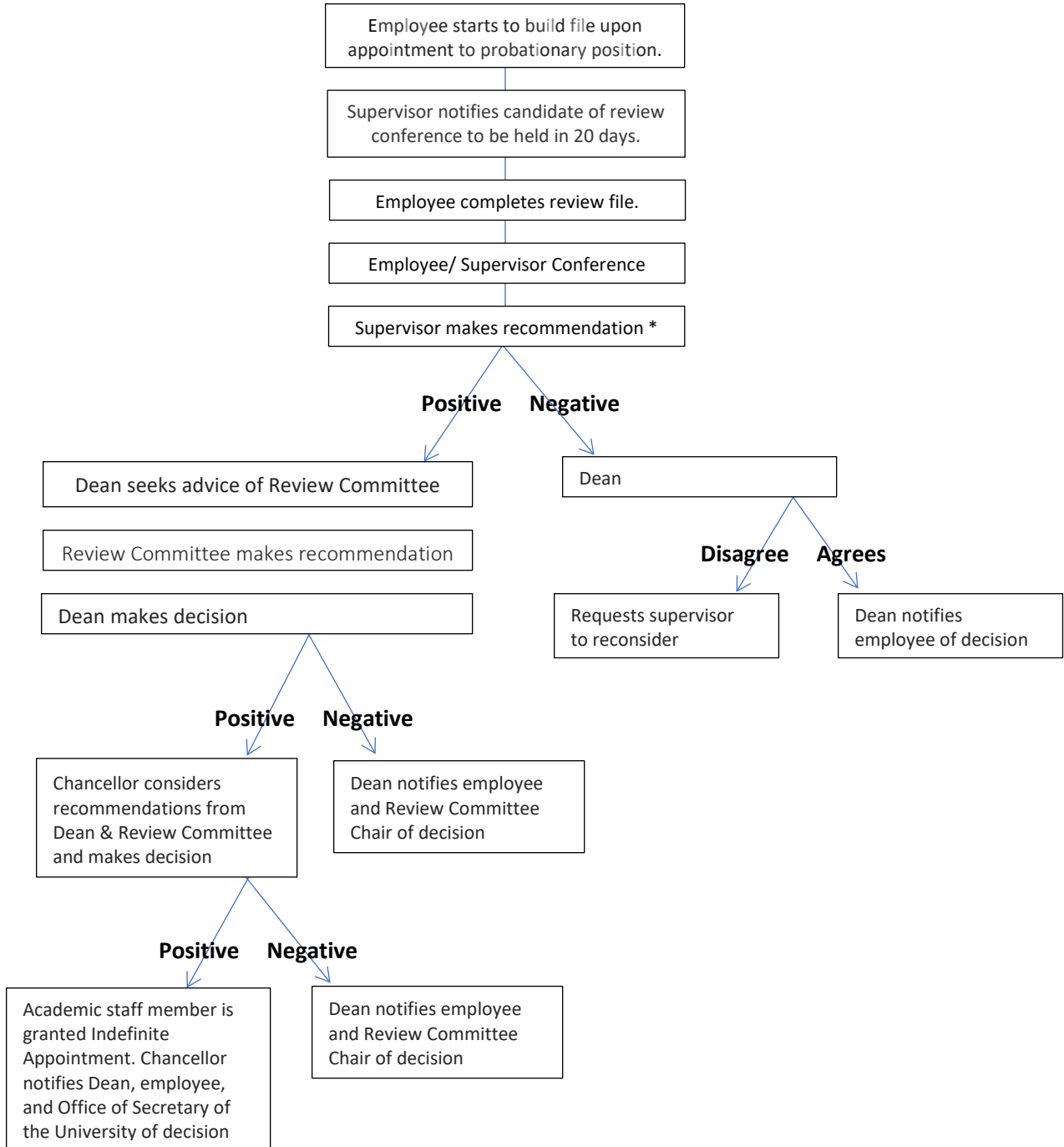
- The path to indefinite status is similar to that of a faculty member reaching tenure. Faculty are awarded tenure for teaching, research, and service beyond the scope of their position.
- Academic Staff are awarded indefinite appointment for providing professional and administrative services associated with higher education and for service to the university beyond their department or school/college.

## **Academic Staff Review Committees**

The academic staff review committees make recommendations under Section 107.03 of these Policies and Procedures.

The following diagram represents the review as described in Chapter 107 of the Academic Staff Personnel Policies & Procedures

### For Promotion to Indefinite Appointment



\* In some operating divisions there are intermediate levels of administration. In such cases, the dean/division head may consult with the intermediate supervisor.

\*\* A non-renewal decision may be appealed (see Chapter 106 of the Academic Staff Personnel Policies & Procedures: <https://uwm.edu/secu/policies/as/>)

**CHAPTER 107  
PROMOTION TO INDEFINITE APPOINTMENT**

**107.01 Promotion to Indefinite Appointment**

**107.02 Supervisor/Executive Committee Recommendation for Indefinite Appointment**

**107.03 Dean/Division Head's Action on Recommendation for Indefinite Appointment**

**107.04 Positive Recommendation from the Review Committee**

**107.05 Negative Recommendation from the Review Committee and Reconsideration**

**107.06 Subsequent Considerations for Indefinite Appointment**

**107.07 Chancellor's Action on Recommendation for Indefinite Appointment**

(AS Doc 86, 7/2014)

**107.01 Promotion to Indefinite Appointment**

A decision on indefinite appointment will normally be made no later than the end of the sixth year of probationary service. A probationary appointment cannot exceed seven years of service except in those circumstances described in Chapter 104.03. In the event that an Academic Staff member requires an extension of the probationary period, the policy specified in Chapter 104.03 shall be followed.

**A. Notice of Consideration and Review Conference**

- 1) The supervisor shall notify a probationary Academic Staff member in writing at least 20 working days prior to a review conference at which promotion to indefinite appointment will be considered.
- 2) Prior to the review conference, the Academic Staff member shall submit their review file materials to their supervisor.
- 3) An Academic Staff member with an executive committee as the supervisor may make a presentation at the meeting at which their promotion to indefinite status is being considered. The meeting at which the presentation is made shall be closed unless an open meeting is requested by the Academic Staff member.

(Editorially Revised, 2/2021)

- B. Notice regarding seventh year of probationary service.** If indefinite status has not been granted by the start of the seventh year, terminal notice must be provided to the academic staff member per Chapter 108. In exceptional circumstances, reviews may take place in the seventh year, however the notice period must be honored. If proper notice is not provided, the contract must be extended so that at least the required notice period is provided.

**107.02 Supervisor/Executive Committee Recommendation for Indefinite Appointment**

- C. Positive Recommendation.** The supervisor's recommendation shall be forwarded to the Dean/Division Head with copy to the Academic Staff member within ten working days of the review conference, as specified in Chapter 107.01.
- D. Negative Recommendation.** If the recommendation forwarded will result in non-renewal, the Dean/Division Head must follow the procedures outlined in Chapter 106.03.



### **107.03 Dean/Division Head's Action on Recommendation for Indefinite Appointment**

- A. The Dean/Division Head shall seek the advice of the appropriate Academic Staff Review Committee within five working days of the receipt of a positive recommendation from the supervisor/Executive Committee.
- B. The Review Committee shall review the supervisor/Executive Committee's recommendation based on its established criteria and provide a written recommendation to the Dean/Division Head and the Academic Staff member within 30 working days of the receipt of the file. This recommendation shall be included in the materials sent to the Chancellor by the Dean/Division Head.

### **107.04 Positive Recommendation from the Review Committee**

- A. If the Dean/Division Head accepts the positive recommendation of the Review Committee, s/he shall forward a positive recommendation to the Chancellor, the Academic Staff member, and the Review Committee within ten working days of receipt of the Committee's recommendation.
- B. If the Dean/Division Head decides not to forward the positive recommendation of the Review Committee, s/he shall notify the Academic Staff member and the chairperson of the Review Committee within ten working days of receipt of the Committee's recommendation.
  - 1. The Academic Staff member may, in writing, request written reasons for the decision within five working days of receipt of such notification. The Dean/Division Head shall respond within five working days of receipt of the request.
  - 2. If the Dean/Division Head's decision results in non-renewal, he/she shall inform the Academic Staff member in writing of the effective date of the non-renewal and of the Academic Staff member's rights to written reasons under Chapter 106.03 and/or appeal under procedures outlined in UWS 10.04 and Chapter 106.04.

### **107.05 Negative Recommendation from the Review Committee and Reconsideration**

- A. If the Review Committee gives a negative recommendation, the Review Committee, before forwarding its recommendation to the Dean/Division Head, must:
  - 1. Notify the supervisor and the Academic Staff member of its intention to provide a negative recommendation.
  - 2. Notify the supervisor of their right to request reconsideration within ten working days of the receipt of the notice.
    - a. If the supervisor requests reconsideration, the Review Committee must meet within ten working days of the receipt of the request.
    - b. If no request for reconsideration is received within ten working days, the Review Committee shall forward its recommendation immediately to the Dean/Division Head.
    - c. The time limits of this section may be extended by mutual consent of the supervisor/Executive Committee and the Review Committee.

(Editorially Revised, 2/2021)

### **107.06 Subsequent Considerations for Indefinite Appointment**

- A. If the action of the Dean/Division Head does not result in promotion to indefinite appointment or non-renewal, the Academic Staff member may be reviewed at a later date under the following conditions:
  - 1. If prior consideration occurred **before** the Academic Staff member's sixth year of probationary service, all steps in the review process must be repeated.
  - 2. If the prior consideration occurred **during** the Academic Staff member's sixth year of probationary service, only the part of the review process that was not completed must be performed.

- a. If the action of the Dean/Division Head results in non-renewal, the Academic Staff member may request to be reviewed again for indefinite appointment prior to the end of their probationary period. The request shall be made to the Dean/Division Head. If the request is granted, all steps in the review process must be repeated.

#### **107.07 Chancellor's Action on Recommendation for Indefinite Appointment**

Upon receipt of the recommendation from the Dean/Division Head, the Chancellor shall inform the Academic Staff member and the Review Committee of their decision regarding promotion to indefinite status.

##### **A. Positive Action by the Chancellor.**

The Chancellor shall notify the Academic Staff member of a positive decision on promotion to indefinite status within 10 working days of the receipt of the recommendation from the Dean/Division Head.

##### **B. Negative Action by the Chancellor.**

1. If the Chancellor's decision results in non-renewal, the Academic Staff member shall be notified in writing within 10 days. The notice shall include reference to Academic Staff rights to written reasons under UWS 10.04 and Chapter 106.03 and 106.04.
2. The Academic Staff member may request reasons for the non-renewal within five working days of notification.
3. The Chancellor shall respond to the request following the procedures outlined in Chapter 106.03.
4. The decision of the Chancellor regarding promotion to indefinite status is final however, and not subject to further appeal.

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