

ACADEMIC STAFF HEARING AND APPEALS COMMITTEE BYLAWS

ARTICLE I PURPOSE AND RESPONSIBILITIES

Section 1 Purpose

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

Section 2 Responsibilities

- A. The Committee hears all appeals of academic staff non-renewal decisions. If a reconsideration of the non-renewal decision is ordered, the Committee participates in the selection of an impartial observer, if requested. (See UWM ASPPP Chapter 106)
- B. The Committee serves as the hearing and appeals body in cases of dismissal for cause of academic staff members. (See UWM ASPPP Chapter 109)
- C. The Committee serves as the hearing body for appeals of layoff decisions. (See UWM ASPPP Chapter 110)
- D. The Committee serves as the hearing body for complaints. (See UWM ASPPP Chapter 111)
- E. The Committee serves as the hearing body for academic staff grievances. (See UWM ASPPP Chapter 112)
- F. At its first meeting of the Committee year, the Committee establishes a list of individuals who will serve as replacements for Committee members who are disqualified or who disqualify themselves from any hearing which comes before the Committee. This list is taken from those who indicated willingness to serve on the Committee in the previous Spring's Nominations Committee preference poll. Other academic staff members may be added to the list by the Committee as appropriate. If individuals from this list are appointed to the Committee, the structure of the Committee as outlined in Article II, Section 1 is maintained.

ARTICLE II MEMBERSHIP

Section 1 Structure

The Committee consists of seven elected academic staff members. No more than two

members may be from the same college or division at the time of their election to the committee.

(AS Doc 146, 1/24)

There must be at least one member from each functional area (instructional and non-instructional) and at least one member representing each type of appointment (fixed term, indefinite, probationary). All members must have at least a 50% appointment at UWM.

(AS Doc 71, 2/12 revision)

(AS Doc 146, 1/24)

Section 2 Nomination/Election Procedures

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

(AS Doc 146, 1/24)

Section 3 Terms of Office

The term of office begins on the first day of the fall semester contractual period as it appears in the academic year calendar published on the Secretary of the University's website and ends the day before the next fall contractual period begins. All members serve three-year terms. No member may serve consecutive three-year terms.

(AS Doc 146, 1/24)

Section 4 Absences

Participation of the entire Committee membership is essential to ensure a timely and equitable hearing of each case. A member must participate in all deliberations on a particular case to vote on that case.

In instances where a Committee member may have to miss two (2) or more meetings per committee year for a significant medical or life event, a "leave" may be taken from the Committee. Such a leave must be requested and approved by the Committee chair and Secretary of the University after the Committee member's second consecutive absence. In accordance with Article II, Section I, an eligible replacement shall be determined and appointed for the duration of the member's leave by the Secretary of the University. If a committee member's appointment to the committee expires while they are on approved leave, their term of service on the committee will be considered complete. The Committee may vote to remove a member who does not attend two (2) consecutive meetings without an approved leave in place.

(AS Doc 140, 9/23)

Section 5 Vacancies

If a vacancy occurs, the position is filled by the eligible candidate who received the next

highest number of votes in the most recent election. That candidate will serve the remainder of the term associated with the vacancy. If no eligible candidate is available, the Academic Staff Committee appoints an academic staff member to fill the vacancy for the remainder of the term of service.

(AS Doc 40 5/09, revised 7/09)

ARTICLE III ORGANIZATION

Section 1 Officers

The officers are the chair and secretary. Other officers are appointed by the Committee as necessary.

A. Responsibilities

The chair prepares and distributes the agenda for all meetings and presides at the meetings. The chair receives appeals, schedules hearings, and presides at the hearings. The chair designates a Committee member to investigate reports of reprisals against academic staff members who have filed a grievance (per UWM ASPPP Chapter 112). In addition, the chair is the liaison with the Academic Staff Committee. At the end of each committee year, the chair prepares a written report of Committee activities.

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

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

B. Eligibility

Officers must have served on the Committee during the year prior to their term of office.

C. Election, Terms of Office, Vacancies

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

(AS Doc 146, 1/24)

Section 2 Meetings

A. Regular and Special Meetings

There are two regular (required) meetings of the Committee; an organizational meeting (in September) and a meeting for the election of officers. Special meetings are conducted in accordance with UWM Personnel Policies and Procedures and these bylaws; they are called by the chair as needed or at the request of two or more Committee members.

B. Quorum

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

C. Standing Rules

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

D. Agenda

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

ARTICLE IV AMENDMENTS TO THE BYLAWS

A motion to amend these bylaws may be made only by a Committee member and must be placed on the agenda prior to a Committee meeting. Amendments must be approved by a majority vote of both the Hearing and Appeals Committee and the Senate of the Academic Staff. All proposed amendments must be reviewed by the Codification Committee for logic, clarity, and consistency prior to final approval by the Senate. Lastly, approved bylaw amendment(s) must be reported at the next General Meeting of the academic staff.
(AS Doc 119, 4/19)

Hearing & Appeals Bylaws

12/89

2/07

11/10

4/19

9/23

1/24