To: Dean Van Galen, Chancellor  
116 North Hall  
University of Wisconsin-River Falls

From: Wes Chapin, Chair
Faculty Senate  
University of Wisconsin-River Falls  

May 9, 2013

RE: UWRF Faculty Senate Motion 2012-13/149

At the May 8, 2013 meeting of the University of Wisconsin-River Falls Faculty Senate, this motion was passed. The motion is forwarded to you for your action.

Motion from the Faculty Welfare and Personnel Policies Committee (David Rainville, Chair) to approve changes to the Faculty and Academic Staff Handbook, Chapter IV. (see attached document, Chapter IV).

Approved [✓]
Disapproved

Dean Van Galen, Chancellor

Date: 5/21/13
Changes to Chapter 4 FWPP (April 5, 2013)

Current 4.3.5.1(a):

The head of the academic unit shall submit the recommendation outlined in Section 4.3.3.6 and Section 4.3.3.7 to the Dean. The Dean shall make a decision, appending any comments, and forward the recommendation to the Provost and Vice Chancellor for Academic Affairs.

Proposed 4.3.5.1(a):

The head of the academic unit shall submit the recommendation outlined in Section 4.3.3.6 and Section 4.3.3.7 to the Dean. The Dean shall make a recommendation, appending any comments, and forward the recommendation to the Provost and Vice Chancellor for Academic Affairs.

Current 4.3.5.2:

4.3.5.2 Faculty Member Informed of Chancellor’s Decision

The Chancellor shall inform the faculty member of his or her decision for the renewal or nonrenewal of the probationary appointment. The faculty member may, within 30 days of a nonrenewal notice, submit a written request to the Chancellor for reasons of nonrenewal. The Chancellor shall, within 10 working [FS 06/07 #82] days, give him or her written reasons for nonrenewal. Such reasons shall become a part of the professional record of the individual.

Proposed 4.3.5.2

4.3.5.2 Faculty Member Informed of Chancellor’s Decision

The Chancellor shall inform the faculty member of his or her decision for the renewal or nonrenewal of the probationary appointment. A nonrenewal notice shall include the reasons for nonrenewal. Such reasons shall become a part of the professional record of the individual.

Current 4.3.5.3:

4.3.5.3 Request for Reconsideration
Within 20 days after receiving written reasons from the Chancellor, the faculty member may submit to him or her a written request for a reconsideration of the nonrenewal decision. The purpose of reconsideration of a nonrenewal decision shall be to provide an opportunity for a fair and full reconsideration of the nonrenewal decision and to ensure that all relevant material is considered.

a. Such reconsideration shall be undertaken by the Chancellor and shall include, but not be limited to, notice at least five workdays [FS 06/07 #82½] in advance of the time of reconsideration of the decision, an opportunity to respond to the written reasons and to present any written or oral evidence or arguments relevant to the decision, and written notification of the decision resulting from the reconsideration.

b. Reconsideration is not a hearing or an appeal, and shall be non-adversarial in nature.

c. In the event that a reconsideration affirms the nonrenewal decision, the procedure outlined for appeal may be followed. (See 4.6, Nonrenewal Appeals)

Proposed 4.3.5.3

4.3.5.3 Request for Reconsideration

Within 30 days after receiving written reasons from the Chancellor, the faculty member may submit to him or her a written request for a reconsideration of the nonrenewal decision. The purpose of reconsideration of a nonrenewal decision shall be to provide an opportunity for a fair and full reconsideration of the nonrenewal decision and to ensure that all relevant material is considered.

a. Such reconsideration shall be undertaken by the Chancellor and shall include, but not be limited to, notice at least five workdays [FS 06/07 #82½] in advance of the time of reconsideration of the decision, an opportunity to respond to the written reasons and to present any written or oral evidence or arguments relevant to the decision, and written notification of the decision resulting from the reconsideration.

b. Reconsideration is not a hearing or an appeal, and shall be non-adversarial in nature.

c. In the event that a reconsideration affirms the nonrenewal decision, the procedure outlined for appeal may be followed. (See 4.6, Nonrenewal Appeals)
### 4.3.6.4 Probationary Faculty Calendar

<table>
<thead>
<tr>
<th>Action</th>
<th>First Year (for second year appointment)</th>
<th>Second year (for third and fourth year appt)</th>
<th>After two or more years</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Names of probationary faculty members forwarded to heads of academic units no later than (Section 4.3.3.1)</td>
<td>December 5</td>
<td>September 15</td>
<td>November 25</td>
</tr>
<tr>
<td>B. Head of academic unit notifies probationary faculty members and all eligible voters no later than (Section 4.3.3.2)</td>
<td>December 10</td>
<td>September 20</td>
<td>December 5</td>
</tr>
<tr>
<td>C. Professional file is made available to candidate and faculty members eligible to vote, for their consideration and additions (Section 4.3.3.2)</td>
<td>December 11-January 20</td>
<td>September 21-October 20</td>
<td>December 6-January 5</td>
</tr>
<tr>
<td>D. Amended file available for review only (Section 4.3.3.2)</td>
<td>Jan 21-26</td>
<td>October 21-31</td>
<td>January 6-31</td>
</tr>
<tr>
<td>E. Vote no later than (Section 4.3.3.2-4.3.3.5)</td>
<td>Feb 2</td>
<td>November 10</td>
<td>February 6</td>
</tr>
<tr>
<td>F. Departmental recommendations and all supporting documents (as outlined in Section 4.3.3.6) shall be opened to inspection and comments for three weekdays prior to their submission to the Dean but no later than (Section 4.3.3.7)</td>
<td>Feb 7 *</td>
<td>November 15*</td>
<td>February 13*</td>
</tr>
</tbody>
</table>
G. Departmental recommendations with all supporting documents (as outlined in Sections 4.3.3.6 and 4.3.3.7) forwarded to the Dean no later than (Section 4.3.5.1)

February 10  
November 16  
February 14

H. Dean forwards recommendations to Provost and Vice Chancellor for Academic Affairs no later than (Section 4.3.5.1)

February 15  
November 23  
February 21

I. Provost and Vice Chancellor for Academic Affairs forwards recommendation to Chancellor no later than (Section 4.3.5.1)

February 20  
November 30  
February 28

J. Chancellor informs head of academic unit of decision no later than (Section 4.3.5.1)

February 25  
December 8  
March 7

K. Chancellor notifies faculty member of decision no later than (Section 4.3.5.1)

March 1  
December 15  
March 14

* 5 days allocated to allow for weekends during some terms

Proposed Probationary Faculty Calendar:

4.3.6.4 Probationary Faculty Calendar

<table>
<thead>
<tr>
<th>Action</th>
<th>First Year (for second year appointment)</th>
<th>Second year (for third and fourth year appt)</th>
<th>After two or more years</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Names of probationary faculty members forwarded to heads of academic units no later than (Section 4.3.3.1)</td>
<td>December 5</td>
<td>September 15</td>
<td>November 25</td>
</tr>
<tr>
<td>B. Head of academic unit notifies probationary faculty members and all eligible voters no later than (Section 4.3.3.2)</td>
<td>December 10</td>
<td>September 20</td>
<td>December 5</td>
</tr>
<tr>
<td>C. Professional file is made available to candidate and faculty members eligible to vote, for their consideration and additions</td>
<td>December 11- January 20</td>
<td>September 21- October 20</td>
<td>December 6 - January 5</td>
</tr>
<tr>
<td>Step</td>
<td>Start Date</td>
<td>End Date</td>
<td>Notes</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------------</td>
<td>----------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>D. Amended file available for review only (Section 4.3.3.2)</td>
<td>Jan 21-26</td>
<td>October 21-31</td>
<td>January 6-31</td>
</tr>
<tr>
<td>E. Vote no later than (Section 4.3.3.2-4.3.3.5)</td>
<td>Feb 2</td>
<td>November 10</td>
<td>February 6</td>
</tr>
<tr>
<td>F. Departmental recommendations and all supporting documents (as outlined in Section 4.3.3.6) shall be open to inspection and comments for three weekdays prior to their submission to the Dean but no later than (Section 4.3.3.7)</td>
<td>Feb 7*</td>
<td>November 15*</td>
<td>February 13*</td>
</tr>
<tr>
<td>G. Departmental recommendations with all supporting documents (as outlined in Sections 4.3.3.6 and 4.3.3.7) forwarded to the Dean no later than (Section 4.3.5.1)</td>
<td>February 10</td>
<td>November 16</td>
<td>February 14</td>
</tr>
<tr>
<td>H. Dean forwards recommendations to Provost and Vice Chancellor for Academic Affairs no later than (Section 4.3.5.1)</td>
<td>February 15</td>
<td>November 23</td>
<td>February 21</td>
</tr>
<tr>
<td>I. Provost and Vice Chancellor for Academic Affairs forwards recommendation to Chancellor no later than (Section 4.3.5.1)</td>
<td>February 20</td>
<td>November 30</td>
<td>February 28</td>
</tr>
<tr>
<td>J. Chancellor informs head of academic unit and faculty member of decision no later than (Section 4.3.5.1)</td>
<td>February 25</td>
<td>December 8</td>
<td>March 7</td>
</tr>
</tbody>
</table>

* 5 days allocated to allow for weekends during some terms
Motions/Actions of Faculty Welfare and Personnel Policies Committee
May 1, 2013

1. On May 1, 2013 Faculty Welfare and Personnel Policies Committee met and passed a motion changing the language in 4.4.3.1(g) from 15 to 30 days. This change would give faculty who have been denied tenure on the basis of impermissible factors a longer period in which to prepare their appeals. This change had been previously recommended by the Grievance and Appeals Committee. Please also note that previous changes to 4.3.5 (submitted recently to the Executive Committee) were also recommended by the Grievance Committee Current 4.4.3.1

4.4.3.1 Procedures for the Review and Rectification of Denial of Tenure on Basis of Impermissible Factors

Recommendations for tenure shall be based on the criteria established in Section 4.3.2.1 and on such extensions of those criteria as are enacted by each academic unit and filed with the Provost and Vice Chancellor for Academic Affairs. Tenure shall not be denied on the basis of impermissible factors as defined in Section 4.6.4 of the Faculty and Academic Staff Handbook. Faculty who appeal their denial of tenure on the basis of impermissible factors may follow the process and procedure of the appeal process described below. No member of the academic unit in which the appeal originated shall serve on any body involved in the appeal.

a. The faculty member denied tenure may appeal to the Faculty Hearing, Grievance and Appeals Committee to determine if impermissible factors were used in denying tenure. This committee will review the tenure documents and supporting materials and hold interviews and hearings as needed to establish the basis on which the decision was made. Academic staff members of the Hearing, Grievance and Appeals Committee shall not participate in appeals of denial of tenure for impermissible factors.

b. Should the Hearing, Grievance and Appeals Committee find that the decision was not based on impermissible factors, the denial shall stand.

c. Should the Hearing, Grievance and Appeals Committee find that the decision was based on impermissible factors, an Ad Hoc Committee shall be established to conduct an independent review of the grievant’s credentials in relation to established criteria (Section 4.3.2.1).
d. The Faculty Senate shall be responsible for establishing the Ad Hoc Committee. 
   (1) The Chair of the Faculty Senate in consultation with the tenured members of 
       the Executive Committee shall draft a list of potential Ad Hoc Committee 
       members to be approved by the entire Faculty Senate. The Faculty Senate Chair 
       shall be responsible for contacting nominees to the Ad Hoc Committee and 
       obtaining their consent to serve. 
   (2) This Ad Hoc Committee shall be composed of five members who teach in the 
       same academic field as the individual under review or in a substantially similar 
       academic field, and a non-voting chair selected by the tenured members of the 
       Executive Committee of the UWRF Faculty Senate. 
   (3) Members of the Ad Hoc Committee may be UWRF faculty or faculty from other 
       campuses, but they must be tenured at an accredited four-year institution of 
       higher learning. In selecting off-campus members of the Ad Hoc Committee, the 
       Faculty Senate shall try to choose faculty from institutions whose philosophy and 
       mission are similar to those on this campus. Members of this Ad Hoc Committee 
       are expected to give a fair and impartial review and to be free of conflicts of 
       interest which might bias them in favor of one of the parties to the appeal. 

e. The Ad Hoc Committee shall function as follows: 
   (1) The administration shall provide a recording secretary who, in the event of an 
       open meeting, will prepare a verbatim report. 
   (2) The Ad Hoc Committee shall review documents on which the decision was 
       based including, but not limited to, the grievant's personnel file, minutes of 
       meetings at which the grievant's tenure was discussed, the chair's 
       recommendation regarding tenure, and other supporting documents; 
   (3) hold a meeting to conduct an independent review of the grievant's credentials 
       in relation to established criteria (Section 4.3.2.1). In accordance with s. 
       19.85(1)(b)ap Wisconsin Statutes and other statutory provisions, appropriate 
       notice shall be given of this meeting and the grievant shall have the option to 
       request that it be open; 
   (4) after due discussion and deliberation, vote by signed ballot to recommend 
       granting or denying tenure; and 
   (5) convey to the Chancellor their conclusions, providing a report stating the 
       rationale for their decision and indicating any substantive minority views which 
       may have been expressed. 

f. The Chancellor shall review the recommendation of the Ad Hoc Committee and 
   make a recommendation following the criteria in Section 4.3.2.1 and any such
extension of those criteria established by the academic unit and filed with the Provost and Vice Chancellor for Academic Affairs.

g. The following time limits shall govern this procedure:
(1) Within 15 days after being notified in writing of the departmental vote denying tenure, the faculty member must forward an appeal to the Hearing, Grievance and Appeals Committee.
(2) The Hearing, Grievance and Appeals Committee shall operate under the provisions of Section 4.10 except that in the event impermissible factors are found to operate, the Hearing, Grievance and Appeals Committee chair shall immediately notify the faculty member and the Chair of the Faculty Senate.
(3) Faculty Senate action on establishing the Ad Hoc Committee shall proceed in a timely fashion, but no more than one month shall elapse between notification and the approval of the Ad Hoc Committee.
(4) The Ad Hoc Committee shall have one month in which to conduct its review and to notify the Chancellor of its decision.
(5) The Chancellor will act on the report within two weeks after its receipt and will immediately give written notice of the final decision to all parties involved.

Proposed 4.4.3.1

4.4.3.1 Procedures for the Review and Rectification of Denial of Tenure on Basis of Impermissible Factors

Recommendations for tenure shall be based on the criteria established in Section 4.3.2.1 and on such extensions of those criteria as are enacted by each academic unit and filed with the Provost and Vice Chancellor for Academic Affairs. Tenure shall not be denied on the basis of impermissible factors as defined in Section 4.6.4 of the Faculty and Academic Staff Handbook. Faculty who appeal their denial of tenure on the basis of impermissible factors may follow the process and procedure of the appeal process described below. No member of the academic unit in which the appeal originated shall serve on any body involved in the appeal.

a. The faculty member denied tenure may appeal to the Faculty Hearing, Grievance and Appeals Committee to determine if impermissible factors were used in denying tenure. This committee will review the tenure documents and supporting materials and hold interviews and hearings as needed to establish the basis on
which the decision was made. Academic staff members of the Hearing, Grievance and Appeals Committee shall not participate in appeals of denial of tenure for impermissible factors.

b. Should the Hearing, Grievance and Appeals Committee find that the decision was not based on impermissible factors, the denial shall stand.

c. Should the Hearing, Grievance and Appeals Committee find that the decision was based on impermissible factors, an Ad Hoc Committee shall be established to conduct an independent review of the grievant's credentials in relation to established criteria (Section 4.3.2.1).

d. The Faculty Senate shall be responsible for establishing the Ad Hoc Committee. (1) The Chair of the Faculty Senate in consultation with the tenured members of the Executive Committee shall draft a list of potential Ad Hoc Committee members to be approved by the entire Faculty Senate. The Faculty Senate Chair shall be responsible for contacting nominees to the Ad Hoc Committee and obtaining their consent to serve.

(2) This Ad Hoc Committee shall be composed of five members who teach in the same academic field as the individual under review or in a substantially similar academic field, and a non-voting chair selected by the tenured members of the Executive Committee of the UWRF Faculty Senate.

(3) Members of the Ad Hoc Committee may be UWRF faculty or faculty from other campuses, but they must be tenured at an accredited four-year institution of higher learning. In selecting off-campus members of the Ad Hoc Committee, the Faculty Senate shall try to choose faculty from institutions whose philosophy and mission are similar to those on this campus. Members of this Ad Hoc Committee are expected to give a fair and impartial review and to be free of conflicts of interest which might bias them in favor of one of the parties to the appeal.

e. The Ad Hoc Committee shall function as follows:

(1) The administration shall provide a recording secretary who, in the event of an open meeting, will prepare a verbatim report.

(2) The Ad Hoc Committee shall review documents on which the decision was based including, but not limited to, the grievant's personnel file, minutes of meetings at which the grievant's tenure was discussed, the chair's recommendation regarding tenure, and other supporting documents;

(3) hold a meeting to conduct an independent review of the grievant's credentials in relation to established criteria (Section 4.3.2.1). In accordance with s. 19.85(1)(b) of Wisconsin Statutes and other statutory provisions, appropriate
notice shall be given of this meeting and the grievant shall have the option to request that it be open;
(4) after due discussion and deliberation, vote by signed ballot to recommend granting or denying tenure; and
(5) convey to the Chancellor their conclusions, providing a report stating the rationale for their decision and indicating any substantive minority views which may have been expressed.

f. The Chancellor shall review the recommendation of the Ad Hoc Committee and make a recommendation following the criteria in Section 4.3.2.1 and any such extension of those criteria established by the academic unit and filed with the Provost and Vice Chancellor for Academic Affairs.

g. The following time limits shall govern this procedure:
(1) Within 30 days after being notified in writing of the departmental vote denying tenure, the faculty member must forward an appeal to the Hearing, Grievance and Appeals Committee.
(2) The Hearing, Grievance and Appeals Committee shall operate under the provisions of Section 4.10 except that in the event impermissible factors are found to operate, the Hearing, Grievance and Appeals Committee chair shall immediately notify the faculty member and the Chair of the Faculty Senate.
(3) Faculty Senate action on establishing the Ad Hoc Committee shall proceed in a timely fashion, but no more than one month shall elapse between notification and the approval of the Ad Hoc Committee.
(4) The Ad Hoc Committee shall have one month in which to conduct its review and to notify the Chancellor of its decision.
(5) The Chancellor will act on the report within two weeks after its receipt and will immediately give written notice of the final decision to all parties involved.

Please note the only change is in 4.4.3.1 (g) 15 days is changed to 30 days.

This change is in bold in the proposed version.