
**2017-2018 ACADEMIC STAFF ASSEMBLY
MINUTES
12:30PM - 1:45PM ON OCTOBER 11, 2017, UC-264**

PRESENT: Patricia Fragola, Curt Weber, Mike Flanagan, Valerie Vargas, Terry Tumbarello, Abbie Windsor, Annie Weberpal, Carl Fox, Sara Deschner, Huckleberry Rahr, Nadine Kriska, Heather Rasmussen (recorder)

EXCUSED: Carmen Rivers, JP Villavicencio

GUESTS: Becky Mueller

1) Urgent/Priority Business

- a) Matt Aschenbrener, Assistant Vice Chancellor for Enrollment & Retention discussed Attendance Verification Policy. UW-Whitewater needs a procedure in place to assure attendance in class for students receiving financial aid. Aschenbrener has met with Faculty Senate and Student Government to discuss policy. Attendance only needs taken one time in the first three weeks of class in a sixteen-week class. If a student shows up to class, completes an assignment, or posts to a discussion board, it's considered participation. There is a built-in follow up by the Enrollment & Retention Office if a student isn't attending. If UW-Whitewater isn't compliant, a fine can be levied against the school.

MOTION by Rahrs and seconded by Weber: *The Academic Staff Assembly approves the draft policy of the Attendance Verification Policy.* Unanimously approved.

- 2) **Chair's Report** – Strategic Planning and Budgeting Committee (SPBC) met last week. Chancellor Kopper presented information on budget. The Pay Plan is included in the budget and is tied to merit, being assigned to solid performers and those with reviews. It will not be given to everyone. The first wave will be July 2018 and the second January 2019.

Academic Staff Assembly participated in a conference call with University of Wisconsin System President Ray Cross and all other campuses in the UW System to learn about the newly announced merger within the System. Due to the length of this call, no committee reports were given.

3) Academic Staff Committee Reports

- a) **Awards:**
- b) **Economic Issues:**
- c) **Elections:**
- d) **Government:**
- e) **Instructional Academic Staff Promotions:**
- f) **Outreach:**
- g) **Professional development:**
- h) **Review:**
- i) **Rewards and Recognition:**

j) Titling Committee:

k) Title Appeals:

4) Updates/Announcements/Other Business

- Student Medical Excuse Policy – Vargas reports that the Health Center doesn't provide medical excuses for students who miss class.

The meeting adjourned at 1:44 pm on a motion from Fragola (Vargas, second).

DRAFT DRAFT DRAFT

Attendance Verification Policy

Background

In 2013, the Wisconsin Legislative Audit Bureau conducted an audit of the Financial Aid department. This audit indicated that UW-Whitewater needed a policy to verify the last date of attendance in a course or courses when students stop attending or never attended a course(s) in which they received Title IV federal financial aid funds. Following that audit, two new letter grades were implemented, FS and FX. FS is a failing grade that indicates the student was in attendance and stopped attending. FX is a failing grade that indicates the student never attended the course. Instructors are asked to include the last date of attendance when they submit F and FS grades.

In March 2017, staff from the U.S. Department of Education conducted a Program Review (audit). One of the findings from that review noted the Federal Student Aid Handbook states, **“your school must have a procedure in place to know whether a student has begun attendance in all classes... the Department does not dictate the method a school uses to document that a student has begun attendance. However, a student is considered not to have begun attendance in any class in which the school is unable to document that attendance”** (Program Review Report, page 11).

If a student later drops the course(s), and the campus cannot verify that the student began attendance, then the student may be liable for returning all federal financial aid funds allotted for that course. When we verify that attendance began, students have the potential to maintain a portion of the financial aid for the course(s) they attended. For accurate management of financial aid, it is important that the campus be able to verify that course attendance began and also the date of last attendance when students drop or withdraw from the course.

Proposed Attendance Verification Policy

“Each term, all faculty and course instructors will verify attendance (or non-attendance) for all students enrolled in each of their courses and report it through the Student Information System (WINS).” When a student earns an F grade or otherwise stops attending, the faculty member or instructor will indicate the last date of the student’s attendance in WINS on the final grade roster.

Frequently Asked Questions

When will the policy be implemented?

The Registrar’s Office is working with iCIT to have the technology ready so it can be used for Spring 2018.

Do I need to verify the student is attending each day?

No. You only need to verify that each student was in attendance at least once during the first three weeks of the term. Attending at least once establishes that the student began attendance in the course.

How do faculty report attendance?

An attendance roster will be available in WINS for each course. By default, students will be pre-assigned as “attending” on the roster. Instructors will need to update the roster by indicating which students (if any) were not in attendance at any time during the first three weeks of the Fall and Spring terms. After completion of the first three weeks of the term, instructors will be given another five business days to submit their course rosters.

How do I verify attendance in any class?

A student is considered to be **attending** if they do any one or more of the following:

- are in attendance face-to-face when you take roll
- complete a quiz or any assignment face-to-face or online
- complete an online learning activity
- post a message to an online discussion board
- view a video or lecture online
- send an e-mail communication about the course to the instructor

Note: A simple log-in to the course management system or online course is not adequate to determine attendance.

Does this policy apply to all types of courses?

Yes, it applies to any credit-bearing course where any student might potentially receive financial aid. The policy includes independent studies, thesis, internships, labs, field experience, online courses, etc. The instructor must verify student attendance based on course participation.

This may include:

- submission of an assignment for the course
- contact with the student about the placement/field experience/student teaching
- verification from the site supervisor that the student is working at that location
- face-to-face verification of the student at the placement/field experience/student teaching
- other examples previously cited

What about shorter terms?

Attendance must be verified for shorter terms as well. For each type of shorter term or session (e.g., Winterim, Summer, 1st or 2nd 8-weeks of Fall or Spring, etc.) the period for instructors to verify attendance will be up to the last day to add a course for that term.

What are the consequences for not submitting attendance verification?

Students whose attendance is not verified during the first three weeks of a regular semester may lose Title IV federal financial aid funds if they are attending the course but not verified by the instructor. Students not in attendance will be contacted by the Registrar, Financial Aid or other offices to ensure they are enrolled and attending or not.

Function

The function of the misconduct committee member is to serve on a panel of faculty, staff, and students in making disciplinary decisions for a case, pursuant UWS Chapters 17 (non-academic) and 14 (academic). These individuals hear cases of suspension, expulsion, or removal from a course – or in the event a student requests a hearing to dispute a sanction. Like a jury member, a misconduct committee member will confer with the other members in making a final decision in a case.

More information about UWS Chapter 17, including disciplinary procedure can be found at:

http://docs.legis.wisconsin.gov/code/admin_code/uws/17

More information about UWS Chapter 14, including disciplinary procedure and UWW specific expectations can be found at:

<http://www.uww.edu/dean-of-students/uws-chapter-14-student-academic-disciplinary-procedures>

Membership

Members of the hearing committee serve in an on-call capacity as there are no regularly scheduled meetings. Appointments from Faculty Senate, Academic Staff Assembly, and WSG are typically a one-year term, but members may continue in their appointment longer, or may be continue as an additional appointee in our pool.

Members of the committee include 5 appointees from Faculty Senate, 5 appointees from Academic Staff Assembly, and 5 appointees from the Whitewater Student Government. Faculty, staff, and students in addition to these groups may be appointed to the hearing committee pool for a one-year or ongoing term.

Required Training(s) & Meetings:

The academic and non-academic misconduct committee does not meet on a regular basis. Members of the committee are only called when a hearing is scheduled, and members are selected based on availability. In the event a faculty/staff member is chosen and they know the student, they can recuse themselves from serving at the hearing. In the last two academic years, we have averaged 5 hearings per year.

To serve on the hearing committee, members are required to complete the hearing committee training which covers the roles, responsibilities, and functions of a hearing committee. In order to be eligible to sit on a hearing committee for a sexual misconduct-related case, members must complete an additional training regarding Title IX and sexual misconduct.

Contact Information

If you have questions about the misconduct process, please contact Tim Fredrickson, Coordinator of Student Conduct at 262-472-1533 or FredricT@uww.edu.

Approval of a new Regent Policy Document,
“Commitment to Academic Freedom and Freedom of Expression”

BOARD OF REGENTS

Resolution II.10.

WHEREAS the Board of Regents of the University of Wisconsin System has a long history of supporting academic freedom and freedom of expression, and ensuring that every voice has the opportunity to be heard, and recently affirmed its strong commitment to these freedoms in December 2015 with the adoption of Resolution 10600, and again in July 2017 with the adoption of Resolution 10906; and

WHEREAS the primary function of the UW System is the discovery, improvement, and dissemination of knowledge; and

WHEREAS the UW System is committed to providing all members of the university community with the broadest possible latitude to explore ideas and to speak, write, listen, challenge and learn; and

WHEREAS it is not the proper role of the UW System to attempt to shield individuals from ideas and opinions they, or others, find unwelcome, disagreeable, or even deeply offensive; and

WHEREAS protests and demonstrations that disrupt the expressive rights of others are subject to sanction; and

WHEREAS it is not the proper role of UW institutions to take any action as an institution to require students or staff to express a particular view on a public policy issue;

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents adopts the attached Regent Policy Document, “Commitment to Academic Freedom and Freedom of Expression,” codifying the aforementioned principles, as well as the Board of Regents’ expectations for regular communications about the policy to employees and students and accountability for institutional leaders to report disciplinary actions to the Board; and

BE IT FUTHER RESOLVED that the Board of Regents will pursue a change to the Wisconsin Administrative Code to include suspension as the sanction for students who have been twice found responsible and expulsion as the sanction for students who have been thrice found responsible for disrupting the expressive rights of others.

October 6, 2017

Agenda Item II.10.

**PROPOSED REGENT POLICY DOCUMENT ON
COMMITMENT TO ACADEMIC FREEDOM AND FREEDOM OF EXPRESSION**

BACKGROUND

Over the course of its history, the University of Wisconsin Board of Regents has been a leader in its support of the importance of academic freedom and freedom of expression. In recent years, these principles of academic freedom and freedom of expression have been tested at several other universities.

REQUESTED ACTION

Adoption of Resolution II.10.

DISCUSSION

The State of Wisconsin Legislature is currently considering a bill that would direct the Board of Regents to adopt a policy on free expression that includes disciplinary sanctions for those who disrupt the free expression of others, and includes other accountability requirements.

The attached Regent Policy Document, "Commitment to Academic Freedom and Freedom of Expression," communicates the expectations of the Board of Regents regarding academic freedom and freedom of expression, and for those who violate the free expression of others. The proposed policy requires the UW System to report annually to the Board regarding efforts to uphold these principles, and prohibits UW institutions from taking actions to require students or staff to express a particular view on public policy issues. The proposed policy also requires UW institutions to address the issue of freedom of expression during freshman and transfer student orientation, and annually provide notice to all students and employees of the policy. Finally, the proposed policy supersedes and nullifies any provisions of institutional policies that improperly restrict speech, and requires UW institutions to revise or remove any such policies.

RELATED BOARD OF REGENTS POLICIES

Regent Resolution 10600, adopted December 15, 2015

Regent Resolution 10906, adopted July 7, 2017

DRAFT 9-25-17

Regent Policy Document

Commitment to Academic Freedom and Freedom of Expression

Scope

This policy applies to all UW System students, staff, and visitors.

Purpose

The purpose of this policy is to communicate the Board of Regents' commitment to academic freedom and freedom of expression, and expectations for those who violate these freedoms.

Policy Statement

1. Commitment¹

The Board of Regents of the University of Wisconsin System has a longstanding tradition of support for academic freedom, dating back to 1894 and the famous "sifting and winnowing" statement contained in the University of Wisconsin Board of Regents' Final Report on the Trial of Richard Ely. The Board of Regents of the University of Wisconsin System hereby reiterates its commitment to the principle of academic freedom and affirms its commitment to the principle of freedom of expression.

Academic freedom includes the freedom to explore all avenues of scholarship, research, and creative expression, and to reach conclusions according to one's own scholarly discernment. Freedom of expression includes the right to discuss and present scholarly opinions and conclusions on all matters both in and outside the classroom. These freedoms include the right to speak and write as a member of the university community or as a private citizen without institutional discipline or restraint, on scholarly matters, or on matters of public concern. The UW System is committed to these principles and provides all members of the university community the broadest possible latitude to explore ideas and to speak, write, listen, challenge, and learn.

Of course, different ideas in the university community will often and quite naturally conflict. But it is not the proper role of the university to attempt to shield individuals from ideas and opinions they, or others, find unwelcome, disagreeable, or even deeply offensive. Although the university greatly values civility, concerns about civility and mutual respect can never be used as

¹ Sources: Richard Ely Trial Committee Final Report, September 18, 1894, University of Wisconsin Board of Regents; Report of the Committee on Freedom of Expression at the University of Chicago; Johns Hopkins University Statement on Academic Freedom; Princeton University Statement on Freedom of Expression; Purdue University Commitment to Freedom of Expression

justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members within the university community.

The freedom to debate and discuss the merits of competing ideas does not mean that members of the university community may say whatever they wish, wherever they wish. Consistent with longstanding practice informed by law, institutions within the System may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the university. In addition, the institutions may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt ordinary activities. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with each institution's commitment to a completely free and open discussion of ideas.

These principles carry responsibilities. Academic freedom carries the responsibility for the faithful performance of professional duties and obligations. All members of the university community at each of the institutions in the University of Wisconsin System share in the responsibility for maintaining civility and a climate of mutual respect. Although members of the university community at each institution are free to criticize and contest the views expressed on campus, they may not obstruct or otherwise interfere with the freedom of others, including speakers who are invited to campus, to express views they reject or even loathe. Freedom of expression also carries the obligation to make clear that when speaking on matters of public interest or concern, one is speaking on behalf of oneself, not the institution.

Each institution in the University of Wisconsin System has a solemn responsibility not only to promote lively and fearless exploration, deliberation, and debate of ideas, but also to protect those freedoms when others attempt to restrict them. Exploration, deliberation, and debate may not be suppressed because the ideas put forth are thought by some or even by most members of the university community (or those outside the community) to be offensive, unwise, immoral, or wrong-headed. It is for the members of the university community, not for the institution itself, to make those judgments for themselves, and to act on those judgments not by seeking to suppress exploration of ideas or expression of speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the university community to engage in such debate and deliberation in an effective and responsible manner is an essential part of each institution's educational mission.

Accordingly, the University of Wisconsin System Board of Regents expresses its expectation that the principles of academic freedom and freedom of expression will be upheld because today, as previously stated by Regents on September 18, 1894: "Whatever may be the limitations which trammel inquiry elsewhere, we believe the great state University of Wisconsin should ever encourage that continual and fearless sifting and winnowing by which alone the truth can be found."

2. Conduct on University Lands; Student and Staff Discipline

Chapters UWS 17 (Student Nonacademic Misconduct Procedures) and UWS 18 (Conduct on University Lands) of the Wisconsin Administrative Code and other relevant Administrative Code provisions, UW System and UW institution policies, and State statutes govern the conduct of students, staff, and visitors on all real property owned or leased by, or otherwise under the control of the Board of Regents. These Administrative Code provisions, statutes and policies provide UW institutions with authority to address disruptive behavior by students, staff, and visitors.

Chapter UWS 17.09 describes misconduct that may subject a student to discipline, including but not limited to: disruption of university-authorized activities; dangerous conduct; unauthorized use of or damage to property; violation of criminal law; serious and repeated violations of municipal law; violation of university rules; and violation of Chapter UWS 18. Chapter UWS 17.10(1) contains a range of disciplinary sanctions for students under the jurisdiction of the institution who engage in violent or other disorderly conduct that materially and substantially disrupts the free expression of others.

Chapter UWS 18 describes misconduct that may subject a student or staff member to discipline, and that may subject students, staff, and campus visitors to municipal fines or criminal sanctions, including but not limited to Chapter UWS 18.10 (offenses against public safety), Chapter UWS 18.07 (use of campus facilities), and Chapter UWS 18.11 (offenses against public peace and order). Chapter UWS 18.13 describes forfeiture penalties for violation of certain sections of Chapter UWS 18.

Students charged with misconduct by the University shall be provided the procedural protections in Chapter UWS 17 and parallel UW institution policies. Those protections include, but are not limited to: the right to a written report detailing the alleged misconduct, describing all information available to the university regarding the alleged misconduct, and specifying the sanction sought; the right to a hearing before an impartial hearing examiner or hearing committee; the right to question adverse witnesses; the right to present information and witnesses; the right to be heard; the right to be accompanied by an advisor who may be an attorney; and the right to an appeal.

A formal investigation and disciplinary hearing is required the second time a student is alleged to have engaged in violent or other disorderly misconduct that materially and substantially disrupted the free expression of others. Any student who has twice been found responsible for misconduct that materially and substantially disrupted the free expression of others at any time during the student's enrollment shall be suspended for a minimum of one semester. Any student who has thrice been found responsible for misconduct that materially and substantially disrupted the free expression of others at any time during the student's enrollment shall be expelled. This paragraph shall be effective upon amendment of Chapter UWS 17 of the Wisconsin Administrative Code under Chapter 227 of the Wisconsin Statutes to include a parallel provision. The report regarding repeat violators described in Section 5 of this policy will not be required after the effective date of the amendment to Chapter UWS 17.

PERMANENTLY
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Staff charged with misconduct described in Chapter UWS 18 and UW institution policies governing employee conduct shall be provided the procedural protections in applicable Wisconsin Administrative Code sections and UW institution policies.

3. Freedom of Expression

Students and faculty have the freedom to discuss any problem that presents itself, as the First Amendment of the U.S. Constitution and Article I of the Wisconsin Constitution permit. Students and faculty shall be permitted to assemble and engage in spontaneous expressive activity as long as such activity does not materially and substantially disrupt the functioning of an institution.

Protests and demonstrations that interfere with the rights of others to engage in or listen to expressive activity shall not be permitted and shall be subject to sanction. This policy shall not prohibit administrators, faculty, or other instructors from maintaining order. Access to UW institutions for purposes of free speech and expression shall occur within the limits of reasonable viewpoint-neutral and content-neutral restrictions on time, place, and manner of expression and the provisions of Chapter UWS 21 (Use of University Facilities) of the Wisconsin Administrative Code.

4. Restriction of Expression

UW institutions may restrict expressive activity not protected by the First Amendment of the U.S. Constitution or Article I of the Wisconsin Constitution, including any of the following:

- (a) Violations of state or federal law.
- (b) Defamation.
- (c) Harassment.
- (d) Sexual harassment.
- (e) True threats.
- (f) An unjustifiable invasion of privacy or confidentiality.
- (g) An action that materially and substantially disrupts the function of an institution.
- (h) A violation of a reasonable time, place, and manner restriction on expressive activities.

Nothing in this policy shall be construed to prevent institutions from regulating speech or activity as allowed by law.

5. Accountability

Annual Report: The Wisconsin Constitution recognizes in Article I, Section 3, that “Every person may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right,” and in Article I, Section 4, that the “[R]ight of the people peaceably to assemble, to consult for the common good, and to petition the government, or any department thereof, shall never be abridged.” The First Amendment to the U.S. Constitution provides parallel protection for these rights. Upholding the constitutional rights of persons who have differing viewpoints can be challenging within the academy and elsewhere.

The UW System shall report annually to the Board of Regents regarding the efforts of its institutions to uphold the principles expressed in this policy and to fulfill the Board's Commitment to Academic Freedom and Freedom of Expression. The UW System's report shall describe any affirmative steps its institutions have taken in furtherance of the Board's Commitment, as well as any material barriers to these freedoms within the System and steps being taken to remove those barriers. The report also shall describe any formal complaints of violations of these freedoms during the reporting period and the administrative response to those complaints, including any disciplinary proceedings involving students or staff. The report shall comply with all federal and state law privacy protections for students and staff.

Report Regarding Repeat Violators: If a UW institution does not suspend or expel a student who has been found responsible through the student disciplinary process on two or more occasions of materially and substantially interfering with the expressive rights of others at any time during the student's enrollment, the UW institution's chancellor shall report to the Board of Regents regarding the disciplinary process and decision. The report shall comply with all federal and state law privacy protections for students.

6. Neutrality

Each UW institution shall not take action, as an institution, in such a way as to require students or staff to express a particular view on a public policy issue.

7. New Student Orientation

Each UW institution shall include in orientation for freshman and transfer students, information regarding freedom of expression consistent with this policy.

8. Notice

Each UW institution annually shall provide notice to all enrolled students and employees informing them of this policy.

9. Inconsistent policies

This policy supersedes and nullifies any provisions in the policies of a UW institution that improperly restrict speech at that institution and are, therefore, inconsistent with the policy. Each UW institution shall remove or revise any such provisions in its policies to ensure compatibility with this Board policy.

Oversight, Roles and Responsibilities

Each chancellor shall be responsible for implementing the provisions of this policy.

Acceptance of the Report and Recommendations
of the Administrative Hiring Workgroup and Revision of
Regent Policy Document 6-4, "Selection Process for System President,
Chancellors, and UW System Senior Leadership Positions"

BOARD OF REGENTS

Resolution 4.

That, upon the recommendation of the Chair of the University of Wisconsin Administrative Hiring Workgroup and the President of the University of Wisconsin System, the Board of Regents accepts the recommendations outlined in the workgroup report and adopts the proposed revisions to RPD 6-4, "Selection Process for System President, Chancellors, and UW System Senior Leadership Positions."

October 5, 2017

Agenda Item 4.

**REPORT OF THE ADMINISTRATIVE HIRING WORKGROUP
AND PROPOSED CHANGES TO REGENT POLICY DOCUMENT 6-4,
“SELECTION PROCESS FOR SYSTEM PRESIDENT,
CHANCELLORS, AND UW SYSTEM SENIOR LEADERSHIP POSITIONS”**

BACKGROUND

On August 7, 2017, the President of the Board of Regents announced the creation of a workgroup to explore streamlining the hiring process for UW System and institutional leadership, and to consider options for increasing the number of applicants from non-academic backgrounds. The Administrative Hiring Workgroup was charged with reviewing the current process by which university chancellors, provosts, vice chancellors, and system presidents and vice presidents are hired. The workgroup was also asked to review hiring practices in other states and examples of non-academic executive-level hires at other universities.

Regent Vice President Drew Petersen was appointed chair. Other members included Regents Gerald Whitburn and Tracey Klein, UW-Stout Chancellor Bob Meyer, UW-Extension Provost Aaron Brower, UW-La Crosse Professor Joe Heim, UW-Platteville Vice Chancellor Rose Smyrski, UW System Vice President James Henderson, and Senior Associate Vice President Shenita Brokenburr.

REQUESTED ACTION

Adoption of Resolution 4., accepting the recommendations outlined in the workgroup report and adopting the proposed revisions to RPD 6-4, “Selection Process for System President, Chancellors, and UW System Senior Leadership Positions.”

DISCUSSION

The Administrative Hiring Workgroup, chaired by Regent Vice President Petersen, met on August 30 and September 14, 2017. The workgroup meetings included a thorough review of UW System’s existing practices for hiring institutional leaders, as well as a review of practices at other university systems. Workgroup members had significant discussions regarding how to streamline the hiring process, and strategies for increasing the number of non-academic applicants.

On September 21, 2017, Governor Walker approved the 2017-19 biennial budget. The biennial budget includes prohibition against only considering individuals who are faculty members, or

who have been granted tenure, or who have terminal degrees, for the positions of UW System President, University Chancellor or Vice Chancellor.

Attachment A includes Regent Vice President Petersen's report of the Administrative Hiring Workgroup. The proposed changes to Regent Policy Document 6-4, included as Attachment B, codify the policy recommendations of the workgroup as well as the biennial budget requirements.

RELATED BOARD OF REGENTS POLICIES

None.



Board of Regents

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ATTACHMENT A

DATE: September 25, 2017

TO: Members of the Board of Regents

FROM: Andrew Petersen
Regent Vice President and Work Group Chair

RE: Administrative Hiring Workgroup Report

Background

The Wisconsin State Legislature's Joint Committee on Finance adopted a budget motion that prohibited the University of Wisconsin System from requiring the Board of Regents to only consider individuals who have been faculty members, have been granted tenure, or who have terminal degrees for the positions of UW System President, University Chancellor or Vice-Chancellor. These changes were included in the final budget signed by Governor Walker on September 21st.

In response to these changes, Board President John Robert Behling announced the creation of this administrative hiring workgroup at the July 6th Board meeting. The workgroup was tasked to review existing board policies and procedures and to make recommendations on possible changes that would potentially attract more non-traditional candidates to executive leadership hiring searches.

Unlike some other higher education entities, the UW System has not actively recruited or often attracted candidates from outside of academia. Many university stakeholders, including the state legislature, have encouraged the Board to make an effort to diversify the backgrounds of the candidates for executive leadership positions within the system.

Research and Review

One of the tasks of this workgroup was to review existing hiring policies and procedures. The workgroup learned the average time from the announcement of a Chancellor's resignation to the naming of a replacement is roughly 40 weeks, or 9 months. The workgroup also learned this number has decreased in recent years, and the last 6 chancellor searches were closer to 7 months on average.

The search process that proceeded after the resignation of UW System President Kevin Reilly in 2013 lasted roughly 4.5 months.

Human Resources provided an overview of the backgrounds of applicants for the most recent chancellor search processes. Of 630 total applicants, 52 were from outside higher education. Only one of these candidates eventually was named a finalist, and that was Chancellor Rebecca Blank from UW-Madison, who was working at the United States Department of Commerce at the time of the search, but had previously been a tenured faculty member.

The workgroup also reviewed research highlighting the current backgrounds and demographics of university presidents. Key takeaways from the 2017 American Council on Education (ACE) American College President Study reviewed and shared with the group include:

- 12% of public college presidents reported their most immediate position was outside of higher education, a rate that has remained consistent since 2011;
- 49% of college presidents have spent their entire career in higher education;
- 59% of presidents of public institutions are 61 years old, and 11% are 71 or older. Over half of college presidents plan to retire in the next five years.

The role of a university president is changing, with less focus on traditional academics and more on management and external relations. Again, the same ACE survey indicated 65% of chancellors or presidents say budget and management are the primary task they find most time consuming, with fundraising a close second. This shift has led to fewer chief academic officers being interested in seeking the position of president or chancellor.

Wisconsin is not alone in addressing these issues, and the workgroup reviewed a number of hiring policies and practices from other states. The group also discussed the results from some of the more prominent non-academic hires around the country.

Conclusions/Recommendations

Members of the work group discussed a number of potential changes to UW System policies and processes. There was general agreement and consensus the current search and screen process has become cumbersome and desperately needs to be reformed and modernized for the future. The workgroup also strongly agreed, given the forecasted trends in Chancellor retirements, the hiring process should be inclusive of non-traditional, non-academic candidates, and that future searches will have to not only allow for these candidates to apply, they will have to include an active recruitment process that includes members of the search committee. Finally, the workgroup expressed unanimous support for increasing our efforts to better develop the existing talent within UW System, and to help prepare them to step into leadership positions on campus and at the System level.

Based on the review and research presented to the work group, and the discussions we had during our meetings, I offer the following list of recommendations to the board:

- Publicizing all candidates who reach the semi-finalist phase has a negative impact on our ability to recruit top-rated public and private sector leaders -- especially those in high-level executive or other high-profile positions. Instead, we should commit to publicly announce only the final two or three candidates for positions, not more.
- To anyone from outside of academia, our search process is too long and the committee process is too cumbersome. It not only is inefficient, it also serves as a disincentive for non-academic candidates who see the process as too bureaucratic. To promote greater efficiency in the process and more Board of Regents accountability, the board recommends the size of search committee to ten members. The search committee would include five Regents, two faculty, one staff representative from the institution, one community and/or alumni member, and one student, all to be appointed by the President.

- When new leaders are hired from private institutions or non-academic backgrounds, we need to properly prepare, train and professionally develop them for that transition and be purposeful about higher education acculturation and develop a blueprint for success.
- UW System has some of the best faculty, staff, and administrators in the world. Developing existing talent to prepare them to serve as the next generation of campus and system leadership is paramount to the success of the University of Wisconsin System. We need to enhance talent and professional development opportunities for existing staff.
- While there are no system-wide policies that prohibit the recruitment and hiring of non-academic candidates for Chancellor and Vice-Chancellor, there are campus policies that do. Those policies must now be updated to reflect the changes in state laws that were passed as part of the state budget that prohibit institutions from requiring candidates have terminal degrees or could be considered for tenure at the institution.
- The Board has not restricted or blocked the hiring of non-academic candidates, but it has not actively recruited and welcomed them either. The Board should take steps to be more aggressive and inclusive in the recruitment of non-academic candidates, including how position descriptions are drafted and how our search firms are engaged.
- Finally, to promote more consistency from campus to campus and to ensure an efficient search process, UW System Human Resources will develop a standard template position description that will include both standardized language and room for campus-specific job duties and qualifications. Local campus and community input (and involvement) in the crafting of specific position descriptions identifying specialized attributes of importance to that campus will be crucial to ensuring positive search outcomes and Chancellor/President hires.

Work Product

Resolution

Acknowledgements

I greatly appreciate the efforts of the members of the workgroup, who gave of their time and provided thoughtful input throughout the process. Each member brought their own unique set of experiences and perspectives to the table, and our discussions reflected perspectives from both inside and out of academia.

I'd also like to thank the staff who provided extensive support and thoughtful research on this important topic. Thanks to their work we were well informed of how other states have addressed this issue, as well as our own existing processes and history on the subject.

Proposed Changes to Regent Policy Document 6-4

Selection Process for System President, Chancellors, Vice Chancellors and UW System Senior Leadership Positions

Scope

This policy sets forth the protocol the Board of Regents has determined shall be followed for the selection of University of Wisconsin System senior leadership positions: chancellors of UW institutions, vice chancellors of UW institutions, UW System Senior Vice Presidents, Vice Presidents, the General Counsel, and the Chief Audit Executive, as well as interim appointees to these positions and the UW System President position.

Purpose

The purpose of this policy is to implement s. 36.09(1)(e), Wis. Stats., authorizing the Board of Regents to appoint a president of the UW System, a chancellor for each UW institution, and other UW System leadership positions. This policy defines the roles and responsibilities of the Board of Regents and the System President, and the committees they appoint, when filling leadership positions in UW System Administration and at UW institutions.

Policy Statement

The University of Wisconsin System Board of Regents considers the selection of the System President and UW institutional Chancellors to be among its most important duties and maintains a strong commitment to the principles of inclusivity and consultation with institutional and community representatives. To ensure effective leadership of the University of Wisconsin System, the following protocols are to be used:

UW System President:

When a vacancy occurs or is imminent, the Regent President shall consult with the Regent Vice President and other members of the Executive Committee of the Board of Regents to determine the process the Board will use in selecting a new System President.

Chancellors:

1. SPECIAL REGENT COMMITTEE COMPOSITION:

When a vacancy occurs or is imminent, the Regent President shall designate a Special Regent Committee consisting of not less than three nor more than five Regents to be involved in the

selection process for a replacement. The Regent President shall designate a chairperson of the Special Regent Committee.

2. CHANCELLOR QUALIFICATIONS:

The Special Regent Committee shall confer with the UW System President and advise the System President of any special qualifications for the position that it believes should be considered. Members of the Special Regent Committee are encouraged to visit the UW institution and meet with students, faculty, staff, and other members of the campus community to familiarize themselves with the unique characteristics and needs of the institution. The Special Regent Committee shall work with the System President to produce a brief job description, taking into account the special characteristics of the institution at which the Chancellor would serve. The job description shall be inclusive and encourage applicants from various professional backgrounds and not require candidates for chancellor to have a terminal degree or the academic experience to be awarded tenure at the institution.

3. SEARCH AND SCREEN COMMITTEE COMPOSITION:

The Search and Screen Committee shall be comprised of ten members, to include five Regents and five individuals knowledgeable of the duties and responsibilities of the position and broadly representative of the interests of the students, faculty, academic staff, university staff, administrators, community and friends of the institution and the interests of the UW System.

The Regent President shall appoint five Regents to the Search and Screen Committee, and designate one of the Regents as chair.

The System President, after consulting with members of the institution's governance groups and other members of the university community, shall appoint a Search and Screen Committee comprised of individuals knowledgeable of the duties and responsibilities of the position and broadly representative of the interests of the students, faculty, academic staff, university staff, administrators, community and friends of the institution and the interests of the UW System. the five non-Regent members of the committee to include two faculty, one staff representative from the institution, one student, and one community and/or alumni member. The System President shall consider diversity, particularly as it relates to gender, race, and ethnicity, when making committee appointments.

~~The Regent President shall designate one member of the Special Regent Committee or a Regent Emeritus who is knowledgeable about the UW institution to serve as chairperson of the Search and Screen Committee. In the event that a Regent Emeritus is designated chairperson of the Search and Screen Committee, he or she shall serve as a non-voting member of the Special Regent Committee.~~

The System President, in consultation with the Regent President and the chair of the Search and Screen Committee, shall designate one of the faculty committee members as the Search and Screen Committee vice chair from among the faculty at the UW institution seeking the new chancellor.

It is essential that the members of the Search and Screen Committee be dedicated to a single objective—the identification and recommendation of the strongest possible candidates for a chancellorship of a University of Wisconsin institution.

4. SEARCH AND SCREEN COMMITTEE ROLE AND PROGRESS REPORTS:

The Search and Screen Committee shall be provided with an opportunity to review and provide input on the job description prepared by the System President and the Special Regent Committee. After the Special Regent Committee finalizes the job description, the Search and Screen Committee shall conduct such interviews of semi-finalists as it deems appropriate, with at least one member of the Special Regent Committee in addition to the Search and Screen Committee chair observing each of the semi-finalist interviews. The Search and Screen Committee shall make periodic progress reports to the Special Regent Committee and the System President and shall continue to provide feedback on candidates until such time as the committee is discharged by the System President.

5. IDENTIFICATION OF FINALISTS:

The Search and Screen Committee shall subsequently provide a list recommending qualified individuals, in unranked order, along with an alphabetical list of all persons considered at a joint meeting of the Search and Screen Committee, the Special Regent Committee and the System President. The Search and Screen Committee may be asked to provide oral presentations on the candidates under consideration. If any of the names on the initial list presented by the Search and Screen Committee are not accepted by the Special Regent Committee, or if any of the recommended candidates withdraw from the search, then before the Search and Screen Committee is discharged, it may be asked to provide additional candidates from the list of persons considered as semi-finalists.

The Special Regent Committee shall determine the finalists who will be invited to continue in the selection process, with up to three ~~five~~ being a typical number invited for interviews.

6. FINALIST INTERVIEWS:

The Special Regent Committee, in conjunction with the System President, shall review all of the finalists, conduct interviews, work with the campus community to schedule campus visits for the finalists, and identify a candidate to recommend to the full Board of Regents.

7. BOARD OF REGENTS APPROVAL:

The full Board shall approve the appointment, including salary.

Vice Chancellors

1. When a vacancy occurs or is imminent, the chancellor shall determine the process to be used to select a new vice chancellor. A UW institution may not adopt a policy or rule, or use a position description or job advertisement, that requires a candidate for a vice chancellor position to have served as a UW System faculty member or as a faculty member at another institution of higher education, to have been granted tenure at a UW

System institution or at another institution of higher education, or to hold the highest level of academic degree in a field of study or profession.

2. Policy Adoption

This Regent policy will supersede all institutional policies on the matter of academic and professional qualifications for vice chancellors.

UW System Administration Senior Leadership Positions:

1. APPOINTMENT OF SEARCH AND SCREEN COMMITTEE:

When a vacancy occurs or is imminent, the System President shall appoint a Search and Screen Committee. For positions determined by the System President to involve a high degree of campus contact, the Search and Screen Committee may include faculty, staff, and/or student representatives.

2. SEARCH AND SCREEN COMMITTEE ROLE:

The Search and Screen Committee shall be provided with a job description prepared by the System President in consultation with the chair(s) of the appropriate standing committee(s) of the Board of Regents, depending on the duties and responsibilities of the vacant position. The Search and Screen Committee shall screen candidates and conduct such interviews as it deems appropriate.

3. IDENTIFICATION OF FINALISTS:

The Search and Screen Committee shall subsequently provide a list recommending qualified individuals, in unranked order, along with an alphabetical list of all persons considered. If any of the names on the initial list presented by the Search and Screen Committee are not accepted by the System President, or if any of the recommended candidates withdraws from the search, then before the Search and Screen Committee is discharged, it may be asked to provide additional candidates from the list of persons considered. In addition, the System President may identify as finalists up to two additional names from the list of persons considered by the Search and Screen Committee.

4. FINALIST INTERVIEWS:

The System President shall review all of the final candidates and conduct interviews. The System President shall fill the vacancy from among the candidates interviewed, and shall advise the appropriate Board standing committee of the person selected.

5. SALARY APPROVAL:

Board approval of the salary for senior leadership positions is not required unless the salary exceeds the Board-approved salary range.

6. APPOINTMENT:

In the case of the Chief Audit Executive, the appointment is made jointly by the System President and the Chair of the Board of Regents Audit Committee.

Interim Appointments:

The procedure for selecting an interim System President is as follows:

1. REGENT PRESIDENT'S AUTHORITY:

When a vacancy occurs or is imminent, the Regent President may appoint an interim System President to serve until a permanent appointment is made.

2. COMMITTEES NOT REQUIRED:

Appointment of a Special Regent Committee or Search and Screen Committee is not required or expected for an interim appointment.

3. REGENT PRESIDENT CONSULTATION:

Prior to appointing an interim System President, the Regent President shall consult with the Vice President and other members of the Executive Committee of the Board of Regents. Such consultation shall include the length and salary of the interim appointment.

4. LIMIT ON LENGTH OF APPOINTMENT:

In determining the length of an interim appointment, the Regent President shall consider the circumstances of the vacancy and the best interests of the UW System. The length of an interim appointment for a System President may not exceed three years.

5. ELIGIBILITY FOR PERMANENT APPOINTMENT:

An interim appointee shall not be considered a candidate in the search process for the permanent position without advance written authorization from the Regent President permitting the interim appointee to participate as a candidate for the permanent position.

The procedure for selecting interim Chancellors and UW System Administration senior leadership positions is as follows:

1. SYSTEM PRESIDENT'S AUTHORITY:

When a vacancy occurs or is imminent, the System President may appoint an interim leader to serve until a permanent appointment is made. In the case of the Chief Audit Executive, the interim appointment is made jointly by the System President and the Chair of the Board of Regents Audit Committee.

2. COMMITTEES NOT REQUIRED:

Appointment of a Special Regent Committee or Search and Screen Committee is not required or expected for interim appointments; however, the System President is urged to consult with members of the university community where a chancellor vacancy is expected.

3. SYSTEM PRESIDENT CONSULTATION:

Prior to appointing an interim Chancellor, the System President shall consult with the Regent President and Regent Vice President. Prior to appointing interim senior leadership positions, the System President shall consult with the Regent President and Regent Vice President and with the chair of the appropriate standing committee(s) of the Board of Regents, as determined by the duties of the position. Such consultation shall include the length and salary of the interim appointment.

4. LIMIT ON LENGTH OF APPOINTMENT:

In determining the length of an interim appointment, the System President shall consider the circumstances of the vacancy and the best interests of the UW System. The length of an interim appointment for a Chancellor or senior leadership positions may not exceed three years.

5. ELIGIBILITY FOR PERMANENT APPOINTMENT:

An interim appointee shall not be considered a candidate in the search process for the permanent position without advance written authorization from the System President permitting the interim appointee to participate as a candidate for the permanent position.

The procedure for selecting an interim Vice Chancellor is as follows. When a vacancy occurs or is imminent, the Chancellor may appoint an interim Vice Chancellor to serve until a permanent appointment is made.

Oversight, Roles and Responsibilities

The Office of the Board of Regents and the UW System Office of Human Resources and Workforce Diversity are responsible for communicating search process requirements and working with the Regent President, Regents, and the System President to implement the procedures detailed in this policy.

History: Res. 59, adopted 1/7/1972; Res. 325, adopted 11/3/1972, created Regent Policy Document 72-18 and rescinded Res. 59. Res. 4034, adopted 4/8/1988, created Regent Policy Document 88-2 and replaced Regent Policy Documents 72-18; Res. 5176, adopted 3/10/1989, created Regent Policy Document 89-3 and amended Regent Policy Document 88-2; Res. 6636, adopted 4/8/1994, amended Regent Policy Document 88-2; Res. 6932, adopted 5/5/1995, amended Regent Policy Document 88-2; Res. 8157, adopted 6/8/2000, amended Regent Policy Document 88-2; subsequently renumbered 6-4; Res. 9811, adopted 8/20/2010, amended Regent Policy Document 6-4; Res. 10517, adopted 6/5/2015, amended Regent Policy Document 6-4.

UW Academic Staff System Representatives meeting, September 22, 2017
Notes by Jay Dougherty, amended by Kevin Niemi

TITLING AND TOTAL COMP STUDY

Madison - person assigned to lead the exercise. Worked for Mercer. New to UW System - doesn't understand shared governance. Worked hard to convince her-2 people from Madison. AS staff proofing slides-not good use of time. Madison advocating for more shared governance.

System - Madison is being combined with System study. Appropriate? Asking every single advisory group about constituent groups, concerns they have heard. Difficult with advisory group - not every campus is represented. Every single campus has a project team - guessing HR folks. Highly encourage AS governance staff on each campus to get involved on project team. Needs to contact HR. Job families are almost approved. Really ramping up to make some impactful decisions. Extension "reasonably pleased" with how this is progressing - they are coming to Extension shared governance. Communication has gotten better. Job family - 20 groups. Then there are job families. University Staff has lower tier - AS above them.

Who appoints the project team? It's all HR. Each campus HR director is automatically the head of the project teams. US converted to AS. Is it still a distinction? If you want to remain US, even though your position is going to AS, you can convert.

Madison has asked the question a single staff system as a goal. It's not a goal.

LaCrosse was provided the job families. Career progression wouldn't happen in titles (Prefix to No-Prefix) but actually progression of job duties. Superior rewrote AS eval metrics to account for this already.

Timeline: Job families and sub families are being finalized in January. We need to review job and sub families now and AS staff reps will review at the next meeting.

JD Expert - software tool that will be used to write job descriptions.

CAMPUS PAY PLANS

Eau Claire doing equity adjustments. Strategic Initiative plan - if you do a project that pushes us to our goals, you can get a pay bump for a year.

Madison has a pot for faculty and a pot for staff - both posts have base adjustments and bonuses. Being allocated equally across units. How is this being distributed? Fairly? Now "Employees have a right to ask" why they didn't receive bump.

Superior - you could nominate someone for this if they are doing a good job.

EC does supervisor training - supposedly mandatory.

What level are AS reps having in financial compensation discussions? EC has a compensation plan - goes through U Senate Budget committee but there is an administrative appointee.

New funding formula for UW System schools has been created.

DISCUSSION ON SYSTEM HIRING RULES FOR LEADERSHIP - I.E., BUSINESS LEADERS AS CHANCELLORS

Provost talked to AS at extension. It makes sense to have terminal degrees for Vice Chancellors. Might need different skill set for Chancellors.

Madison - PROFS group requested to go to meetings of committee - You can attend but you can't speak. Faculty concerned about leader not showing ability to receive tenure.
LaCrosse - Emeritus prof is on committee. There are no UW-Madison reps on committee.

PERFORMANCE METRICS

Board of Regents must define performance metrics for every campus that will be approved by Joint Finance Committee. 16 metrics - with 4 goals - 4 metrics with each goal. UW extension can develop separate metrics.

- 1.) Want to ask about campus allocation formula?
- 2.) Ask about performance metrics?
- 3.) Lack of leadership at Whitewater in HR?

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JOINT SESSION WITH FACULTY, UNIVERSITY STAFF, AND STUDENTS

Shenita Brokenburr- TITLE AND TOTAL COMPENSATION STUDY leader

Project is on schedule and on budget. JD Expert - central repository that will host job descriptions throughout software. Encourages collaboration. Project teams formed at respective institutions. Need to find peers for comparison, but each campus will have their peer outside the system. More comparisons we make - more costly.

Project in phase 2. Project has 6 phases. Phase 2 is how we will create the job title structure. All 6 phases are on the UW System website.

How do we deal with various level of benefits from different peers? UW-Madison will use Big 10 comparisons, Milwaukee, etc. Comprehensives have a established peers by Board of Regents. Once the compare list is finalized, Mercer has said that this will include all the possible factors in indirect compensation. If there is a variation in total comp, how we deal with this? Shenita doesn't know how they will bridge the gap. What they will try to do is compare apples to apples.

RELATIONS BETWEEN LEGISLATURE AND UW

Biennial budget will be signed today. UW System - Received healthy capital budget. Compensation provided 2% and 2% are highest in 10 years. Difficulties - workload policy put in. Changes made to performance based funding - we thought we had a deal with legislature. Legislature was shocked by line item veto. Majority of vetoes were unexpected by legislature. Board was very aggressive on position of pay. Things are looking up for the University.

JIM HENDERSON - BOARD OF REGENTS UPDATE

Biennial Budget - performance based funding plan. Has to be approved by Joint Finance by Feb. 2018. Needs to go to Board in December. Faculty and IAS workload need to go before January 1. Every single faculty member and IAS member will be individually listed. We will have an external and legislative bureau audit.

Every campus to individually report on every metric.

LOW PERFORMANCE/DEGREE PRODUCING ACADEMIC PROGRAMS

- There are some gaps and inadequacies in the policies. Chancellor now have more administrative authority in dealing with academic programs. Task force meeting on October 30. Current policy says all programs don't have to go through review - needs to be more consistent. There are no clear quality indicators. If the program has less than 25 graduates in 5 years, it is flagged.

Legislation about hiring chancellors not having a terminal degree for a president. Part of this workgroup was letting the system set this policy.

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SECOND PART OF AS ONLY MEETING:

Benefits are dictated by System. How can we have 3 different level of benefits? Need clarification.

Flexibility discussion - varies by campus and department.

Performance metrics for campuses - Mandated WHAT we report. Not HOW we report.

Is advisement part of workload of IAS? Not at GB. Is there anything in state statute or system regulations? Based on what your contract says?

BOR needs to revise student seg fees so they are similar across institutions.

INTERIM DISCUSSION:

Parkside AS staff and US staff were reorganized. Do Interims have this power?

Interims are, for all intensive purposes, de facto in that position. So, if you are interim HR director, you are the HR director. Not just a placeholder. So you could justify a reorg.

Other campuses have had reorgs by interims. EC has rules on reorgs on handbook and rules regarding how long interims can serve (2 years) before they have to try for permanent positions. There are no limits on length of service for an interim.

AS being supervised by US - EXTREMELY unusual. One other campus reports this (LaCrosse in IT), but again, doesn't happen very often. Need to talk to HR director about this. Not sure if this can happen - sounds like it needs to. Sounds like an HR situation.

Eau Claire handbook:

<http://www.uwec.edu/AcadAff/upload/FASRP.pdf>

FACULTY AND ACADEMIC STAFF R PROCEDURES

www.uwec.edu

FACULTY AND ACADEMIC STAFF RULES AND PROCEDURES 13TH EDITION – JULY 2017 Navigating this Document
left of the document)

Page 110 – acting and interim positions

Page 77 – “Merger of units” (I thought it was more of a “restructure” type of policy but it’s listed as “merger”)

Can you have a search with one candidate? Not supposed to - but campuses and departments are given a lot of latitude.

How are grievances handled? Are they increasing?

Oshkosh - Increasing due to budget differences.