

Last policy revision: 11/27/95

THE UNIVERSITY OF WISCONSIN-WHITTEWATER

ACADEMIC STAFF PERSONNEL POLICIES AND PROCEDURES

UWW Chapter 1. COVERAGE, DELEGATION AND DEFINITION

1.01 Coverage. Pursuant to UWS 9.01, these Policies and Procedures apply to all academic staff appointments on the University of Wisconsin-Whitewater campus.

1.02 Delegation. Pursuant to UWS 9.02, the University of Wisconsin-Whitewater establishes the Academic Staff Assembly to advise on the development of policies and procedures relative to the academic staff for approval by the institution.

1.03 Definition of Academic Staff. Academic staff members are professional and administrative personnel, other than faculty, who have duties and are subject to types of appointments that are primarily associated with institutions of higher education and their administration. Academic staff does not include, nor do these rules cover, the following: (1) persons holding faculty rank under UWS 1.04; (2) classified staff employees; (3) persons on limited appointment under UWW 3.05 (however, academic staff members do not lose existing rights by accepting a limited appointment); and (4) other appointments as defined in UWS 16.01.

1.04 Other Definitions.

- **Instructional responsibilities:** Responsibilities in which an academic staff member performs comparable duties to those of teaching faculty members. (See UWW Faculty Personnel Rules for definition of teaching faculty.)
- **Operating division:** A grouping of departments and/or administrative units headed by a dean or functional equivalent.
- **Operational area:** The school, division, college, department (or functional equivalent) or specified research or program unit of UWW indicated in the letter of appointment.

UWW Chapter 2. COMMITTEE STRUCTURE OF THE ACADEMIC STAFF

2.01 Academic Staff Assembly. A full description of the structure and responsibilities of the Academic Staff Assembly can be found in the University Handbook under the section entitled: Academic Staff Constitution and By-Laws.

2.02 Other Committees. A description of all academic staff standing committees can be found in the section of the handbook that lists committees and their functions.

UWW Chapter 3. ACADEMIC STAFF APPOINTMENTS

3.01 Types of Appointments. Pursuant to UWS 10.01 and UW-W Chapter 3, academic staff appointments may be fixed term, probationary, or indefinite upon appropriate approval by the

Chancellor or his/her designee. The type of appointment shall be determined in part by the type of program and in part by the likelihood of continued funding; however, neither the type of program alone nor the funding source shall automatically determine the type of appointment.

An academic staff member on a fixed term, multiple year fixed term, or rolling horizon fixed term appointment of at least 50 percent time whose primary responsibility is teaching and/or research, and who, regardless of date of first appointment, has been re-employed for more than seven consecutive years in the same department, school, college, or division may be considered for probationary appointment, as defined in UW-W 3.03, or indefinite appointment, as defined in UW-W 3.04; years of service under the fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term appointment may be applied to the seven year probationary period. Recommendations regarding probationary or indefinite appointments shall be made to the Provost and Vice Chancellor or the department in which the staff member has primary responsibility in accordance with the performance review procedures and criteria specified in UW-W 4.01 to 4.04.

In accordance with UWS 3.01(c) an academic staff member on a fixed term, multiple year fixed term, rolling horizon fixed term, probationary, or indefinite appointment of at least 50 percent time, regardless of date of first appointment, who has been re-employed for more than seven consecutive years in the same department, school, college, or division, and whose primary responsibility is teaching and/or research, may be considered for conversion to a tenure track or tenured faculty appointment at the grade appropriate to the individual's qualifications. Up to three of the years of the individual's service under fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term, and/or probationary, and/or indefinite appointment may be applied to the probationary period for tenure. Recommendations regarding conversion to tenure track or tenured faculty appointment shall be made to the Provost and Vice Chancellor by the department in which the staff member has primary responsibility.

Notwithstanding the provisions in the preceding two paragraphs, academic staff may be reappointed without limit as fixed term academic staff in the following situations: 1) when no budgeted position is available, 2) for appointments on grant, contract, or short-term funding, 3) for concurrent appointments of limited appointees who are included in the State Executive Salary Plan, Range 8 or above in the UWS Academic Staff Title and Compensation Plan, or positions based on Regent-approved fixed term contracts, provided that no conflict with UWS 15 occurs.

3.02 Fixed Term Appointments. Fixed term appointments shall be for a definite period of time specified in the letter of appointment, are renewable solely at the option of the University of Wisconsin-Whitewater and carry no expectation of re-employment beyond the stated term, regardless of how many times renewed, provided such re-employment decision is consistent with UWS Chapter 10.03 (1) and UW-W 4.05. Fixed Term appointments may be made for multiple years. Academic staff whose primary responsibility is teaching and/or research and who are appointed fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term contracts for seven or more consecutive years are neither entitled to nor precluded from a probationary or indefinite appointment by virtue of years of service. Academic staff whose primary responsibility is teaching and/or research and who are appointed fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term contracts for seven or more consecutive years are

neither entitled to nor precluded from a tenure track or tenured appointment by virtue of years of service.

Fixed term academic staff members with service of seven or more consecutive years at 50 percent time or greater shall be reviewed annually to determine the feasibility of granting them multiple year, rolling horizon, probationary, or indefinite appointments. The criteria that may be used to determine the feasibility of granting a multiple year fixed term, rolling horizon fixed term, probationary, or indefinite contract are the quality of the employee's performance, the continuing need for the position, and the funding source. Academic staff with seven or more consecutive years of service whose appointments do not provide at least two year terms shall be given reasons upon request. Academic staff with ten or more years of service whose appointments do not provide at least three year terms shall be given reasons upon request.

3.03 Probationary Appointments. A probationary academic staff appointment is one leading to review and a decision on indefinite appointment. An initial probationary appointment may include a trial period of up to two months during which the appointee may be dismissed without appeal at the discretion of the appointing authority. The probationary period with the University of Wisconsin-Whitewater shall not be less than one year or greater than seven years. Probationary Academic Staff not appointed to indefinite status may not normally be reappointed on a fixed term basis within the same operational area. Exceptions may be made by the Chancellor consistent with UW System Policies and after seeking advice from the Academic Staff Assembly and the appropriate Dean or Director. If such a change occurs, previous probationary service shall not be lost and shall continue if the academic staff member returns to a probationary appointment. An academic staff member on a fixed term appointment may accept a probationary appointment. Up to, but not exceeding, five years of full-time equivalent service in a fixed term appointment at the University of Wisconsin-Whitewater may be counted in the probationary period. The letter of appointment must clearly state the amount of prior service to be counted. A leave of absence shall not constitute a break in continued service, nor shall it be included in the probationary period.

3.04 Indefinite Appointments. An indefinite appointment is an appointment of half-time or more with permanent status and for an unlimited term, granted by the Chancellor to a member of the academic staff pursuant to procedures of Chapter 4 of these Policies and Procedures. The notice of indefinite appointment shall define the operational area to which the academic member is assigned. Such an appointment is terminable only for cause under UWW 6 or for reasons of budget or program under UWW 7. The proportion of time provided for in the initial indefinite appointment may not be decreased or increased without the mutual consent of the academic staff member and the institution unless the appointment is terminated or decreased under UWW 6 or UWW 7. Academic staff members may be granted indefinite appointment prior to the end of the probationary period, but in no case before one year of probationary service is completed. An indefinite appointment is not acquired solely because of years of service.

3.05 Limited Appointments. A limited appointment under section 36.17, Wis. Stats., is a special appointment to a designated administrative position. A limited appointment is not an academic staff appointment, but may run concurrent with an academic staff appointment. A person in this type of appointment serves at the pleasure of the authorized official who made the

appointment. A member of the academic staff granted a limited appointment shall not lose existing rights to an academic staff appointment by accepting the limited appointment, and a member of the faculty granted a limited appointment shall not lose existing rights to a faculty appointment by accepting the limited appointment. Termination of a limited appointment is not a dismissal under Chapter UWW 6 and is not otherwise appealable. Wherever possible, three months notice of termination should be given if the appointee does not hold simultaneously another University appointment.

Limited appointments apply to the following positions: chancellor, vice chancellor, associate chancellor, assistant to the chancellor, assistant chancellor, associate vice chancellor, assistant vice chancellor, and other such administrative positions as the board, the president or the chancellor determines at the time of the appointment.

3.06 Split Appointments. When an academic staff appointment has been apportioned to more than one operational area, the majority operational area shall be responsible for personnel recommendations and the appointee's records; when no particular operational area has a majority designation, the appointee shall choose the area which shall be responsible for personnel recommendations and the appointee's records. In all cases concerning decisions affecting the academic staff member, the responsible area shall consult all other areas in which the academic staff member is employed.

3.07 Recruitment. Each dean and division head is responsible for recruitment of academic staff consistent with System and campus policy and state and federal laws with respect to equal employment opportunities. All vacant University faculty/staff positions shall be announced in the official faculty/staff newsletter.

3.08 Letter of Appointment and Reappointment. The terms and conditions of the appointment shall be specified in a written letter of appointment signed by the Chancellor or designee. The appointment letter shall contain details as to the terms and conditions of the appointment, including, but not limited to, the following:

1. Title and type of appointment;
2. Duration of appointment;
3. Salary;
4. Definition of operational area and supervisor;
5. General position responsibilities;
6. Length of trial period (if appropriate);
7. Functional area (for purposes of review procedures);
8. Amount of prior service counted (if applicable) toward the probationary period; and
9. Statement of need for approval by the Board of Regents (if appropriate).

A copy of the UWW Academic Staff Personnel Policies and Procedures will accompany the letter of appointment. Letters shall be sent to reappointed fixed term and probationary academic staff members by the Chancellor or designee annually and shall include any changes in points 1-9 above. Reappointment letters are sent after the Chancellor or designee has obtained the peer and supervisory consultation deemed appropriate in each operational area. If a significant change

in the existing conditions of the appointment occurs during the appointment period, these changes and the new conditions should be specified in writing at least ten (10) working days prior to the change.

3.09 Official Personnel File. The Office of the Provost and Vice Chancellor shall maintain the official personnel file for each academic staff member. The contents and information contained in such personnel files will be kept confidential and will be released only upon request of the academic staff member. The file is available to the individual academic staff member with the exception of letters of recommendation received on a confidential basis.

UWW Chapter 4. PERFORMANCE REVIEW, PROMOTION TO INDEFINITE APPOINTMENT, NON-RENEWAL, AND NOTICE OF NON-RENEWAL

4.01 Performance Review. A performance evaluation and review program is a desirable and necessary condition of employment for academic staff members. The performance review program shall be designed to assist employees in improving job performance, career development, and the work situation; and to assist supervisors in providing motivation and improved utilization of employees. The format and conduct of performance reviews shall be flexible and tailored to meet the goals of individual supervisors and employees.

An academic staff member on probationary appointment shall have an annual review conference with the dean, division head, department chairperson or other authorized official. A written evaluation based on the conference shall be given to the employee by the official within ten (10) working days after the conference, and the academic staff member shall have the right to respond in writing within ten (10) working days. Both documents shall be filed in the official personnel file of the academic staff member.

A non-teaching academic staff member on fixed term appointment shall have an annual review conference with the dean, division head or other authorized official. In the case of fixed term appointments for less than one year, the review conference shall precede the termination date specified in the letter of appointment by at least one month. A written evaluation based on the conference shall be given to the employee by the official within ten (10) working days after the conferences, and the academic staff member shall have the right to respond in writing within ten (10) working days. Both documents shall be filed in the official personnel file of the academic staff member.

Review of teaching academic staff will follow identical procedures at the departmental level to those currently utilized for probationary faculty. Thus, peer review and student evaluation shall be taken into consideration along with any other points of consideration such as public service and research productivity, where applicable. If the contractual terms specify otherwise, then criteria for evaluation shall be restricted to the provisions of the contractual terms. Following departmental reappointment committee review, as well as departmental chairperson review, recommendations on the academic staff member's performance shall be made known to the academic staff member in writing, and the performance recommendation shall be forwarded to the appropriate administrative office prior to March 1st in the first two years of appointment and prior to December 1st thereafter. The academic staff member shall have the right to respond in

writing within ten (10) working days. Both documents shall be filed in the academic staff member's official personnel file.

An academic staff member on indefinite appointment shall have an annual review conference following procedures providing for written evaluation and the right to respond in writing, both documents to become part of the official personnel file of the academic staff member.

4.02 Promotion to Indefinite Appointment. A decision on indefinite appointment shall be made no later than the end of the sixth year of probationary service. The supervisor shall notify a probationary academic staff member in writing twenty (20) working days prior to the review conference at which the motion to indefinite appointment will be considered. The academic staff members may review their official personnel file, may submit additional written material, and may also make a personal presentation. The meeting at which the presentation is made shall be closed unless an open meeting is requested by the academic staff member. The deliberations and preparation of findings and recommendations will be closed.

A review conference shall be held before a review committee, selected by the dean or division head, which shall consist of the immediate supervisor, representatives of all indefinite academic staff appointees and representatives of the faculty from the academic staff member's operational area. Should the dean or division head be the immediate supervisor, then the Provost and Vice Chancellor shall select the committee. The review committee shall file a report which includes findings and recommendations to the dean or division head. Such report must be made within ten (10) working days of the close of the review conference.

Should the dean or division head decide against recommendation to indefinite appointment, the academic staff member under review for indefinite appointment shall be notified in writing within fifteen (15) working days of the conference. The reasons for recommendation against indefinite appointment shall be given in writing to the person under review if requested. Should an academic staff member feel there has been a violation of the federal or state constitution, a federal or state law, an employment contract, or a University or UW System policy, a grievance may be filed under UWW 8.

Within ten (10) working days of receipt of recommendation from the review committee, the dean or division head will forward his recommendation for promotion to indefinite appointment to the Chancellor. Upon receipt of the recommendation from the dean or division head, the Chancellor shall inform the academic staff member in writing of the decision regarding his/her promotion to indefinite status. However, if the decision results in non-renewal of the academic staff member, the academic staff member shall be informed in writing by the Chancellor, within twenty (20) working days of receipt of the recommendation, of the date of non-renewal and the academic staff member's rights to written reasons and appeal under UWW 4.03. The decision of the Chancellor regarding promotion to indefinite status is final.

4.03 Non-renewal of Probationary Academic Staff Appointments. In making a decision that may involve non-renewal, the dean or division head and supervisor shall start the process early enough to allow time for an appeal and possible reconsideration and to abide by policy deadlines for notification of non-renewal for academic staff. A non-renewed member of the probationary

academic staff shall be provided an opportunity to request and to receive, in writing, the reasons for non-renewal and the opportunity to receive a review of the decision upon written appeal by the academic staff member concerned. The request for an appeal must be made within twenty (20) working days of the academic staff member's receipt of notice of non-renewal (twenty-five [25] working days if notice is by first class mail and publication). The appropriate Academic Staff Review Committee (UWW 2.02) will constitute the hearing body. Such review shall be held not later than twenty (20) working days after the request, except that this time limit may be extended by mutual consent of the parties and by order of the hearing body. The burden of persuasion in such a review shall be on the non-renewed appointee and the scope of the review shall be limited to the question of whether the decision was based in any significant degree upon one or more of the following factors with material prejudice to the individual:

1. Conduct, expressions, or beliefs which are constitutionally protected, or actions which are consistent with an appropriate professional code of ethics; or
2. Employment practices prescribed by applicable state or federal law; or
3. Improper consideration of qualifications for reappointment or renewal. For purposes of this section, "improper considerations" shall be deemed to have been given to the qualifications of the staff member in question if material prejudice resulted because of any of the following:
 - a. The procedures required by the Chancellor or Board of Regents were not followed; or
 - b. Available data bearing materially on the quality of performance were not considered; or
 - c. Unfounded, arbitrary, or irrelevant assumptions of fact were made about work or conduct.

Findings as to the validity of the appeal shall be reported to the official making the non-renewal decision and to the appropriate dean or division head and to the Chancellor.

Such report may include remedies which may, without limitation because of enumeration, take the form of a reconsideration by the decision maker; a reconsideration by the decision maker under instruction of the hearing body, which is the appropriate Academic Staff Review Committee, or a recommendation to the higher administrative level. Cases shall be remanded for reconsideration by the decision maker in all instances unless the appropriate Academic Staff Review Committee specifically finds that such a remand would serve no useful purpose. The appropriate Academic Staff Review Committee shall retain jurisdiction while a reconsideration is pending.

4.04 Notice Periods. Written notice that a fixed term or probationary academic staff appointment will not be renewed shall be given to the appointee in advance of the expiration of the appointment as follows:

1. Fixed Term Appointments. At least three months before the end of the appointment in the first two years and six months thereafter. When the letter of offer for a fixed term appointment states that renewal is not intended, no further notice of non-renewal is required.

2. Probationary Appointments. At least three months before the end of the appointment in the first year; six months before the end of the appointment in the second year; and twelve (12) months thereafter.
3. Extension in the absence of proper notification. If proper notice of non-renewal is not given in accordance with the above, the appointment shall be extended so that at least the required notice is provided.

Notice periods for teaching academic staff shall correspond to those provided for faculty.

4.05 Grievances Concerning Failure to Re-employ a Fixed Term Academic Staff who has served four or more consecutive years pursuant to UWS Chapter 10.03(1), recommendation not to re-employ any individual academic staff member who has served for four or more consecutive years on fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term appointments of 50 percent or greater time shall be made at least 45 days prior to the termination of the individual's current fixed term contract so as to allow sufficient time for due process protections. Recommendation not to re-employ any academic staff with seven or more consecutive years of satisfactory service on fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term appointments of 50 percent or greater time shall be made at least one year prior to the termination of current contract. The criteria that may be used to determine re-employment of an academic staff member who has served for four or more consecutive years on fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term appointments of 50 percent or greater time are the quality of the employee's performance, the continuing need for the position, and the funding source. In all instances of a decision not to re-employ an individual academic staff employee who has served for four or more consecutive years on fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term appointments of 50 percent or greater time for reasons other than the quality of the employee's performance the staff member's supervisor or the supervisor's superior must show a lack of need for the position or immediate and genuine fiscal conditions warranting that the individual not be re-employed. In the case of a lack of need for the position or immediate and genuine fiscal conditions warranting that the individual not be re-employed, the position may not be reopened for 120 days. Any academic staff member with a fixed term, multiple year fixed term, or rolling horizon fixed term appointment of 50 percent time or greater who has served in four or more consecutive years of fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term appointments of 50 percent time or greater shall, upon request, be given written reasons for not being re-employed. The request for written reasons shall be made upon receipt of the notice that the individual will not be re-employed, but not later than five working days after the contract expiration; the reasons shall be provided within five working days of the request. Within five working days of receipt of reasons for the individual's not being re-employed, the staff member may request that the supervisor reconsider the decision not to re-employ. Within five working days of receipt of the request for reconsideration, the supervisor must meet the staff member to reconsider the decision not to re-employ. A decision based on the reconsideration must be given to the staff member within five working days of this meeting.

If the supervisor decided not to re-employ any academic staff member who has served in four or more consecutive years of fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term appointments at 50 percent time or greater, the staff member, within five working

days of receipt of the decision, may request a review by the supervisor's superior. Within five working days of receipt of request for a supervisor's superior's review, the supervisor's superior must meet the staff member to reconsider the decision not to re-employ. A decision based on the reconsideration must be given to the staff member and the supervisor within five working days of the meeting.

Within 20 days after delivery of the report (25 days if notice is by first class mail and publication) that the supervisor's superior affirms the decision not to re-employ any academic staff member who has served in four or more years of fixed term, and/or multiple year fixed term, and/or rolling horizon fixed term appointments at 50 percent time or greater, the academic staff member may file a formal written grievance concerning the decision not to re-employ following the procedures outlined in the UW-W Handbook, VI-A, 5, 5.02, 5.03, 5.04, and 5.05, Academic Staff Review Procedure, Complaints and Grievances.

UWW Chapter 5. ACADEMIC STAFF REVIEW PROCEDURE, COMPLAINTS AND GRIEVANCES

5.01 Definition, Complaint. A complaint is a written allegation by persons other than the academic staff member's supervisor, including administrators, students, other academic staff, faculty, classified staff or members of the public concerning conduct by an academic staff member which violates University rules or policies, or which adversely affects the staff member's performance or obligation to the University but which allegation may not be serious enough to warrant dismissal proceedings under UW-W 6.

5.02 Definition, Grievance. A grievance is a personnel problem involving an academic staff member's written allegation of a violation of the federal or state constitution, a federal or state law, an employment contract, or a University or UW System policy.

5.03 Definition, Involved Parties. The complainant, person complained against and grievant are all referred to in the following sections (5.04 through 5.07) as "the party."

5.04 Informal Settlement. Before seeking a remedy through the complaint/grievance procedure as outlined in 5.05 an academic staff member is strongly advised to discuss the complaint or grievance with the immediate supervisor to settle the matter informally. If the academic staff member is dissatisfied with the response of the immediate supervisor a written statement of the complaint/grievance should be submitted to the dean or division head seeking an informal settlement. Any settlement arrived at informally must be included in a written statement from the immediate supervisor, dean or division head to the academic staff member.

5.05 Complaint or Grievance Procedure.

1. The written complaint or grievance shall contain a clear and concise statement of the alleged incident or violation as defined in 5.01 and 5.02, the date the incident or violation took place, the reason(s) the party believes the alleged incident or violation warrants review, the relief sought and the party's signature.

2. The party shall present the written statement to the immediate supervisor within five (5) working days after becoming aware of the cause for complaint/grievance. Within ten (10) working days of receipt of the complaint/grievance the supervisor shall return a written statement listing what will be done, if anything, to remedy the situation.
3. If the party is dissatisfied with the supervisor's response and the supervisor is also the academic staff member's dean or division head, or if the provost and vice chancellor is the immediate supervisor, the party must proceed to step 4. Otherwise, the party submits the following documents to the dean, division head or provost and vice chancellor as appropriate within five (5) working days:
 - a. A copy of the original complaint/grievance,
 - b. A copy of the supervisor's recommendation, and
 - c. A statement explaining why the supervisor's response is not satisfactory.

Within ten (10) working days of receipt of the complaint or grievance the dean, division head or provost and vice chancellor shall meet with the academic staff member and supervisor to discuss the complaint/grievance.

Within five (5) working days of the meeting the dean, division head, or provost and vice chancellor shall return a written statement to the party describing what will be done.

4. If dissatisfied with the response of the dean, division head or provost and vice chancellor, as outlined above, the party must appeal to the chairperson of the Academic Staff Review Committee within ten (10) working days and submit:
 - a. Copies of the original complaint/grievance,
 - b. The written response of the supervisor,
 - c. The written response of the dean or division head, and
 - d. A statement explaining why previous responses have not been satisfactory.
5. The Review Committee chairperson shall meet with the Review Committee within ten (10) working days of receipt of the complaint/grievance. If complaint/grievance procedures have not been followed as outlined herein the process may be invalid, and individual(s) responsible will be held accountable to the Review Committee and the individual's supervisor, dean, division head, provost and vice chancellor and/or chancellor. Where procedures have been followed, the Review Committee shall arrive at a decision and notify the parties with fifteen (15) working days of the first meeting of the Review Committee. The decision may include the following recommendations:
 - a. No further action is warranted,
 - b. Other possible course(s) of action,
 - c. A hearing before the Review Committee.

Should the party be dissatisfied with the Committee's decision, the party may proceed to step 8.

6. If a hearing is necessary the Committee shall set a date for the hearing to take place within fifteen (15) working days from the decision to conduct a hearing. The party bringing the complaint/grievance and the academic staff member will be notified of the hearing date at least five (5) working days in advance. Both parties in the

complaint/grievance hearing may bring up to three (3) additional persons to support their positions. In all hearings the burden of proof shall be on the party who filed the complaint/grievance.

7. At the conclusion of the hearing the Review Committee shall notify all parties of the committee's decision within five (5) working days and shall submit its decision, in writing, to the academic staff member's dean or division head or provost and vice chancellor, as appropriate.
8. Should the party be dissatisfied with the response of the Review Committee, or with subsequent actions of the dean or division head or provost and vice chancellor, the complaint/grievance may be brought to the chancellor within twenty (20) working days of the close of the hearing.

After reviewing all relevant documents the chancellor shall return a written statement to the academic staff member, the dean, division head and provost and vice chancellor, and the chairperson of the Review committee stating the chancellor's decision within fifteen (15) working days. The decision of the chancellor is final.

UWW Chapter 6. DISMISSAL OF ACADEMIC STAFF FOR CAUSE

6.01 Dismissal for Cause--Indefinite Academic Staff Appointments. A member of the academic staff holding an indefinite appointment may be dismissed only for just cause under UWW 6.02 through 6.14, or for reasons of budget or program under UWW 7.

Members of the academic staff are entitled to enjoy and exercise all rights of United States citizens and to perform their duties in accordance with appropriate professional codes of ethics. This policy shall be observed in determining whether or not just cause for dismissal exists. The burden of proof of the existence of just cause for a dismissal is on the administration.

6.02 Responsibility for Charges. Whenever the Chancellor receives a written allegation which concerns an academic staff member holding an indefinite appointment which appears to be substantial and which, if true, might lead to dismissal under UWW 6.01, the Chancellor shall request within twenty (20) working days that the appropriate dean or division head investigate the allegation, offer to discuss it formally with the individual, and provide information of rights to which members of the academic staff are entitled under this chapter. If such an investigation and discussion does not result in a resolution of the allegation, and if the allegation is deemed sufficiently serious to warrant dismissal, the dean or division head shall prepare a written statement of specific charges. A member of the academic staff may be dismissed only after receipt of such a statement of specific charges and, if a hearing is requested by the academic staff member, after a hearing held in accordance with the provisions of this chapter shall apply. In those cases where the immediate supervisor of the academic staff member concerned is a dean or division head, the Chancellor shall, to avoid potential prejudice, designate an appropriate administrative officer to act for the dean or division head under this section.

Any formal statement of specific charges shall be served personally or by certified mail, return receipt requested. If such service cannot be made within twenty (20) working days, service shall be accomplished by first class mail and by publication as if the statement of charges were a

summons and the provisions of Section 262.06 (1) (c), Wis. Stats. were applicable. Such service by mailing and publication shall be effective as of the first insertion of the notice of statement of charges in the newspaper.

6.03 Hearing Privilege. Pursuant to filing a formal statement of specific charges by the dean or division head under UWW 6.02 which may warrant dismissal action against an academic staff appointee, the appointee has the privilege of requesting a hearing.

6.04 Hearing Body. The appropriate Academic Staff Review Committee is charged with hearing dismissal cases and making a report and recommendations. The Academic Staff Review Committee shall operate as the hearing agent for the Chancellor pursuant to Section 227.09, Wis. Stats., and conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence and transmit such record and summary along with its recommended findings of fact and decision to the Chancellor according to UWW 6.09.

6.05 Hearing. The staff member must request a hearing within twenty (20) working days from the service of the statement of charges (twenty-five [25] working days if notice is by first class mail and publication). The request for a hearing shall be addressed in writing to the appropriate Academic Staff Review Committee. The hearing shall be held not later than twenty (20) working days after the request, except that this time limit may be extended by mutual consent of the parties or by order of the appropriate Academic Staff Review Committee. Service of written notice of hearing on the specific charges shall be provided at least ten (10) working days prior to the hearing.

6.06 Due Process. In order to assure due process, an academic staff member whose dismissal is sought under UWW 6.01 shall be guaranteed the following for defense at a hearing:

1. A right to the names of witnesses and of access to documentary evidence upon the basis of which dismissal is sought;
2. A right to be heard in his or her defense;
3. A right to counsel and/or other representatives, and to offer witnesses;
4. A right to confront and cross-examine adverse witnesses;
5. A verbatim record of all hearings, which might be a sound recording, provided at no cost;
6. Written findings of fact and decision based on the hearing record;
7. Admissibility of evidence governed by Section 227.08 Wis. Stats.

6.07 Procedures for Hearing. Upon receipt of a hearing request, the chairperson of the appropriate Academic Staff Review Committee shall call a meeting of the full membership in accordance with UWW 6.05. The following procedural guarantees shall be observed:

1. Any person who participated in the investigation of allegations leading to the filing of a statement of charges, or in the filing of a statement of charges, or who is a material witness shall not be qualified to participate as a member of the hearing body;
2. The hearing shall be closed unless the staff member under charges requests an open hearing, in which case it shall be open (see sub. ch. IV, Ch.19, Wis. Stats., Open Meeting Law);

3. The hearing body shall not be bound by common law or statutory rules of evidence and may admit evidence having reasonable probative value but shall exclude immaterial, irrelevant, or unduly repetitious testimony, and shall give effect to recognized legal privileges;
4. The burden of proof of the existence of just cause is on the administration or its representatives;
5. If a staff member whose dismissal is sought has requested a hearing, discontinuance of the proceeding by the institution is deemed a withdrawal of charges and a finding that the charges were without merit;
6. Nothing in paragraph (6) shall prevent the settlement of cases by mutual agreement between the administration and the staff member, with the Chancellor's approval, at any time prior to a final decision by the Chancellor; or when appropriate, with the Board's approval prior to a final decision by the Board;
7. Adjournments shall be granted to enable either party to investigate evidence as to which a valid claim of surprise is made;
8. The committee may, on motion of either party, disqualify any one of its members for cause by a majority vote. Upon request, any of the committee members may be disqualified for cause by a majority vote of the members. If one or more of the hearing committee members is disqualified, the remaining members may select a number of replacements equal to the number who have been disqualified to serve;
9. If the Academic Staff Review Committee requests, the Chancellor shall provide legal counsel. The function of legal counsel shall be to advise the committee, consult with them on legal matters, and such other responsibilities as shall be determined by the committee within the provisions of the policies and procedures adopted by the institution; and
10. If the Academic Staff Review Committee requests, the Chancellor shall supply personnel assistance to provide a verbatim record as required under UWW 6.06.

6.08 Recommendations to the Chancellor. Notwithstanding UWW 6.07, the final deliberation of the hearing committee in the formulation of its recommendation will be in closed meeting as provided by sub. ch. IV, Ch. 19, Wis. Stats. The hearing committee will allow for a minority report in all of its recommendations.

The hearing committee shall send to the Chancellor and to the academic staff member concerned, as soon as practicable after conclusion of a hearing, a verbatim record of the testimony and a copy of its report, findings, and recommendations. After reviewing the matter on record and considering arguments submitted by the parties, the Chancellor shall issue a decision. In that decision, the Chancellor may order dismissal of the staff member, may impose a lesser disciplinary action, or may find in favor of the staff member. This decision shall be deemed final unless the Board of Regents, upon request of the academic staff member, grants review based on the record.

6.09 Suspension from Duties. Pending the final decision as to dismissal, the academic staff member with an indefinite appointment shall not be relieved of duties, except where, after consultation with the appropriate dean or division head, the Chancellor finds that substantial harm may result if the staff member is continued in his or her position. Where such

determination is made, the staff member may be relieved of his or her position immediately, or be assigned to another operational area, but the staff member's salary shall continue until the Chancellor makes a decision as to dismissal.

6.10 Date of Dismissal. A decision by the Chancellor ordering dismissal shall specify the effective date of the dismissal.

6.11 Review by Board of Regents. A member of the academic staff on indefinite appointment who has been dismissed for cause by the Chancellor following a hearing may appeal this action to the Board of Regents. Any appeal must be made within thirty (30) days of the date of the decision of the Chancellor to dismiss. Upon receiving an appeal the Board shall review the case on the record. Following such an appeal the Board may sustain the Chancellor's decision, or direct a different decision, or approve a further hearing before the Board with an opportunity for filing exceptions to the Academic Staff Review Committee's recommendations or the Chancellor's decision and for oral argument on the record. If further review with opportunity for oral argument on the record is provided, this review shall be closed unless the staff member requests an open hearing. (See sub. ch. IV, Ch. 19, Wis. Stats., Open Meeting Law.) All decisions of the Board, whether after review on the record or after oral argument, shall be expressed in writing and shall indicate the basis for such decision.

6.12 Dismissal for Cause--Fixed Term or Probationary Academic Staff Appointments. A member of the academic staff holding a probationary appointment, or a member of the academic staff holding a fixed term appointment and having completed an initial trial period as stated in the letter of appointment, may be dismissed prior to the end of the contract term only for just cause under this chapter or for reasons of budget or program under UWW 7. A nonrenewal of such an appointment is not a dismissal under this section. A dismissal shall not become effective until the individual concerned has received a written notification of specific charges and has been offered an opportunity for a hearing before the appropriate dean or division head. If such hearing is requested, a determination of just cause and notification of dismissal shall be made by the dean or division head. If no hearing is requested the dismissal is effected by the specifications in the original notification of charges. The hearing before the dean or division head shall provide the academic staff member with an opportunity to present evidence and argument concerning the allegations. Dismissal shall be effective immediately on receipt of written notification of the decision of the dean or division head unless a different dismissal date is specified by the dean or division head. Dismissals for cause shall be appealable to the appropriate Academic Staff Review Committee. The burden of proof as to the existence of just cause on appeal shall be on the administration. The provisions of Sections UWW 6.03 and 6.05, the procedural guarantees contained in Sections UWW 6.06 and UWW 6.07, the review provisions of Section UWW 6.08 and the provisions of 6.09 shall be applicable to the appeal proceeding. In no event, however, shall a decision favorable to the appellant extend the term of the original appointment. If a proceeding on appeal is not concluded before the appointment expiration date, the academic staff member concerned may elect that such proceeding be carried to a final decision. Unless such election is made in writing, the proceeding shall be discontinued at the expiration of the appointment. If the Chancellor ultimately decided in favor of the appellant, salary lost during the interim period between the effective date of dismissal and the date of the Chancellor's decision or the end of the contract period, whichever is earlier, shall be restored. In those cases where the

immediate supervisor of the academic staff member concerned is a dean or division head, the Chancellor shall, to avoid potential prejudice, designate an appropriate administrative officer to act for the dean or division head under this section.

6.13 Dismissal for Cause--Teaching Members of the Academic Staff. The policies and procedures of this institution regarding dismissal for cause of teaching academic staff members shall be the procedures prescribed by UWW 6.02 to 6.10. The hearing body shall be the Academic Staff Review Committee for teaching academic staff.

UWW Chapter 7. LAYOFF OF ACADEMIC STAFF FOR REASONS OF BUDGET OR PROGRAM

7.01 General. Notwithstanding 36.15 Wis. Stats., and UWW 4 and 6, the Chancellor or designee may layoff a member of the academic staff holding an indefinite appointment, or may layoff a member of the academic staff holding either a fixed term or a probationary appointment prior to the end of the appointment period, when such action is deemed necessary due to budget or program decision requiring program discontinuance, curtailment, modification or redirection. Program decisions made pursuant to a change in the level of resources available for a particular project shall be discussed by the Chancellor or designee with such committee or committee representatives as may be specified by policies and procedures for such purposes as set forth in UWW 7.03. Decisions affecting individuals shall be communicated to the affected persons by the Chancellor or designee together with a description of the change in available resources which has required the layoff decision. Nonrenewal of a probationary academic staff appointment under UWW 4.03, or of a fixed term appointment, even if for financial reasons, is not a layoff for reasons of program or budget.

7.02 Layoff. For the purpose of this chapter "layoff" is the suspension of an academic staff member's employment by the University of Wisconsin System during the appointment period for reasons of budget or program. A laid-off academic staff member retains the rights specified in UWW 7.09 through UWW 7.13 inclusive. For the purpose of Section 36.21 Wis. Stats., termination occurs at the time of layoff.

7.03 Consideration and Consultation of Layoff Decisions. Layoff decisions for reason of budget or program shall not be made without consultation with the Academic Staff Assembly, and the dean or division head of the operational area, in addition to such other institutional committees and individuals as the Chancellor or designee deems appropriate for such purposes, unless there are compelling reasons to the contrary. Prior to the consultation, the Chancellor or designee shall provide budget detail on program decision showing the need to layoff a specified number of personnel; criteria applied in determining the operational unit or units which have been designated for reduction in positions; criteria applied in determining that a member of the academic staff, rather than other personnel, should be subject to layoff; and criteria to be applied within the operational area in determining the individual or individuals who will be affected by the reduction in academic staff positions. After consideration, this group shall advise the Chancellor or designees concerning the advisability of the proposed layoff plan and feasible alternatives to it.

7.04 Individual Layoff Decision. When a reduction in program of a particular area is required, layoffs of academic staff members with indefinite, fixed term, or probationary appointments should normally follow seniority. This presumption in favor of seniority may be overcome where program needs indicate other consideration (e.g., the need to maintain specific expertise within the program or operational area). The standard notice periods specified in UWW 4.04 should be used, unless there are compelling reasons to the contrary (e.g., almost immediate cutoff of funds), for layoff of probationary and fixed term appointments under this chapter. Indefinite appointees shall have twelve (12) months notice of layoff for reasons of budget or program, unless there are compelling reasons to the contrary.

7.05 Alternatives in Lieu of Layoff. The Chancellor or designee shall strive to secure alternative appointment within the University in positions for which the staff to be laid off are qualified under existing criteria. The Chancellor or designee should seek to provide financial assistance for academic staff members who have indefinite appointments and who are to be laid off to adapt within the operational area or within another operational area of the institution where such adaptation is feasible within one year.

7.06 Hearing Body. The hearing body for purposes of this chapter shall be the appropriate Academic Staff Review Committee, as described in UWW 2.02. This hearing body shall operate as the hearing agent for the Chancellor pursuant to Section 227.12, Wis. Stats., and conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence and transmit such record and summary along with findings of fact and decision to the Chancellor.

In consideration of individual layoff cases, academic staff committee members must be disqualified if they participated in the layoff process leading to the layoff of the academic staff member, or if they are material witnesses in the case.

On the motion of either party in a case, any additional member of the committee may be disqualified for cause by a majority vote of the members. Upon request, any of the committee members may be disqualified for cause with the consent of the majority of the committee.

If any committee member is disqualified, the remaining members shall select a replacement by majority vote from among the academic staff.

7.07 Review and Hearing for Indefinite Appointments. An academic staff member with an indefinite appointment whose position is to be eliminated shall, upon request made within 20 days after such notification, be given a written statement of the reasons for the decision within fifteen (15) working days, including a statement of the reasons for the determination that the budgetary or program needs should be met by curtailing or discontinuing the program in which the individual concerned works. If the academic staff member requests in writing within twenty (20) working days after receipt of said statement, the staff member shall be entitled to a hearing before the hearing body. However, such a request for hearing shall not forestall a layoff under this section.

The request for hearing shall specify the grounds to be used in establishing the impropriety of the decision. The staff member shall be given at least (10) working days notice of such hearing. Such

hearing shall be held not later than twenty (20) working days after the request except that this time limit may be extended by order of the hearing body.

The academic staff member shall be guaranteed the following minimal procedural safeguards at the hearing:

1. Access to the names of witnesses and to the evidence upon which the administration intends to rely to support the decision to layoff;
2. A right to be heard in defense;
3. A right to counsel and/or other representatives, and to offer witnesses;
4. A right to confront and cross-examine adverse witnesses;
5. A verbatim record of all hearings, which might be a sound recording, provided at no cost.;
6. Written findings of fact and decision based on the hearing record;
7. Admissibility of evidence governed by 227.08 Wis. Stats.;
8. The hearing shall be closed unless the staff member whose position is to be eliminated requests an open hearing, in which case it shall be open (see sub. ch. IV, Ch. 19, Wis. Stats., Open Meeting Law); and
9. Adjournments shall be granted to enable either party to investigate evidence as to which a valid claim of surprise is made.

If the Academic Staff Review Committee requests, the Chancellor shall provide legal counsel. The function of legal counsel shall be to advise the committee, consult with them on legal matters, and carry out such responsibilities as shall be determined by the committee. If the committee requests, the Chancellor shall also supply personnel assistance to provide a verbatim record.

The first question to be considered in the review is whether one or more of the following factors improperly entered into the decision to layoff;

1. Conduct, expressions or beliefs on the staff member's part which are constitutionally protected or actions which are consistent with an appropriate professional code of ethics;
2. Employment practices prescribed by applicable state or federal law; or
3. Improper consideration of the qualifications of the staff member. For the purposes of this section, "improper consideration" occurs if material prejudice resulted from any of the following:
 - a. The procedures required by the Chancellor or Board were not followed;
 - b. Available data bearing materially on the quality of the staff member's actual or potential performance were not considered; or
 - c. Unfounded, arbitrary or irrelevant assumptions of fact were made about work or conduct.

The staff member shall present evidence on whether one or more of the factors specified above improperly entered into the decision to layoff. The hearing body shall then consider whether the evidence presented established a prima facie case that such factor or factors did enter significantly into the layoff decision. If the hearing body finds that a prima facie case has not

been established, the layoff decision shall be found to have been proper and the hearing shall be ended.

If the hearing body finds that a prima facie case has been established, the appropriate administration officer for the operational area shall be entitled to present evidence to support the layoff decision, and thereafter, the staff member may present evidence in rebuttal. Thereafter, on the basis of all the evidence presented, the hearing body shall make its determinations as follows:

1. The hearing body shall first consider whether one or more of the above specified factors improperly entered into the decision to layoff. Unless the body is convinced that such factor or factors did improperly enter into that decision, the body shall find the decision to have been proper;
2. If the hearing body is convinced that such factor or factors entered into the decision to layoff, then the body shall find that decision to be improper, unless the body is also convinced that there was a bona fide program or budgetary reason and that the determination of such reason was made in the manner prescribed by and in accordance with the procedures developed in UWW 7.03.

In determining whether a bona fide budgetary or program reason existed for layoff of the appointment of the academic staff member concerned, the hearing body shall presume that the decision to curtail the program was made in good faith and for proper reasons. The hearing body shall not substitute its judgment or priorities for that of the administration.

If the hearing body finds that the layoff was improper, it shall report this decision and its recommendation to the Chancellor and to the staff member. The Chancellor shall review the matter and notify the hearing body and academic staff member of the decision. This decision shall be deemed final unless the Board of Regents, upon request of the academic staff member, grants review based on the record.

7.08 Review for Fixed Term and Probationary Academic Staff Members. The procedure of UWW 7.07 shall apply to layoffs for reasons of budget or program changes of academic staff members with fixed term and probationary appointments. Nonrenewal is not a layoff under this section.

7.09 Layoff Status. An academic staff member whose position has been eliminated according to the provisions of this chapter may, at the end of the appropriate notice period, be placed on layoff status, unless the layoff notice has been rescinded prior to that time. The academic staff member whose notice period has expired and who is placed on layoff status shall remain on layoff status until:

1. For fixed term and probationary appointees, one of the following occurs:
 - a. The appointment expires under its own terms; or
 - b. The staff member fails to accept an alternate appointment.
2. For academic staff on indefinite appointment one of the following occurs:

- a. The staff member is reappointed to the position from which laid off. Failure to accept such reappointment would terminate the academic staff member's association with the University;
- b. The staff member accepts an alternative continuing position in the University. Failure to accept an alternate appointment would not terminate the academic staff member's association with the University;
- c. The staff member resigns;
- d. The staff member fails to notify the Chancellor or designee by December 1st, of each year while on layoff status, as to location, employment status, and desire to remain on layoff status shall terminate the academic staff member's association with the University; or
- e. A period of three years lapses.

7.10 Alternative Employment. According to UWS 12.08, each institution within the University of Wisconsin System shall devote its best efforts to securing alternative appointments within the institution in positions for which staff laid off under this chapter are qualified under existing criteria. Each institution should seek to provide financial assistance for academic staff members who have indefinite appointments and who are to be laid off to readapt within the operational area or within another operational area of the institution where such readaptation is feasible within one year's time. Further the University of Wisconsin System shall devote its best efforts to insure that such staff members laid off in any institution shall be made aware of openings within the System.

7.11 Reappointment Rights. In compliance with 36.21 Wis. Stats., in providing that where layoffs occur for reasons of budget or program no person may be hired by the University within three years to perform reasonable comparable duties to those of the staff member laid off without first offering the staff member on layoff status reappointment without loss of rights or status. In addition, the University shall continue for three years from date of layoff to offer the reappointment rights stated in this section to a laid off fixed term appointee whose appointment has expired under its own terms if such appointee notified the Chancellor or designee by December 1st of each year as to location, employment status and desire to pursue reappointment rights. Failure to provide such notification shall terminate the academic staff member's reappointment.

To insure that UWW complies with 36.21 Wis. Stats. for the above, by January 1st of each year, the Chancellor shall submit an annual report to the Academic Staff Assembly of the status of the layoff positions and laid off staff members for the prior three year period.

7.12 Retention of Salary. Any academic staff member reappointed within three years after layoff to reasonably comparable duties shall be reappointed with a salary rate at least equivalent to the salary rate when laid off, together with such other rights and privileges which may have accrued during that time.

7.13 Rights of Academic Staff Members on Layoff. An academic staff member on layoff status in accord with the provisions of this chapter has the employment rights guaranteed by UWW 7.11 or 7.12 and has the following minimal rights:

1. Voluntary participation, at the staff member's expense, in all fringe benefits programs, including life, health and income continuation insurance, including the right to prepay as long as layoff status is maintained with conversation rights if still on layoff status at the end of three years; and
2. Such continued use of campus facilities and participation in University activities as approved by the academic staff member's dean or division head.

UWW Chapter 8. OUTSIDE ACTIVITIES

8.01 Definition. Outside activities are those activities of an academic staff member which are of an extensive, recurring or continuing nature outside of University responsibilities during a period of employment.

8.02 Outside Activities Policy. Policies and procedures governing outside activities are intended to insure devotion to all normal UWW responsibilities on the part of the members of the academic staff while permitting and encouraging their broad participation in public service or endeavors related to their fields of interest. Outside activities should not interfere with or compete with an existing UWW program or activity or frustrate the development of a valid UWW program or service, nor should they be in such a number or of such intensity that they interfere with the performance of the individual's responsibilities to UWW.

8.03 Absence from Regular Institutional Duties. Absence from institutional duties shall be reported in advance to the immediate supervisor. Absence for personal illness shall be governed by the existing sick leave policy. Absences for official University business, for professional reasons, or for participating in public service activities, shall be excused provided appropriate arrangements are made for covering professional responsibilities. Absences for emergency reasons such as illness of a member of the family, or other compelling reasons, are excused with the understanding that if possible the academic staff member should get approval of the supervisor and make arrangements for covering professional responsibilities.

Absence from institutional duties because of private outstanding activities shall be charged against vacation time or shall result in loss of pay for the time missed, except for extraordinary occasions in which the academic staff member receives permission for such absences from the supervisor.

8.04 Reporting of Outside Activities. At any time academic staff members are scheduled to serve as expert witnesses in legal proceedings, or as staff, adviser, or consultant to granting agencies, they shall report such activities to the Chancellor through normal channels.

All academic staff members shall report in writing to the supervisor any outside activities. Whenever possible, such activities shall be reported prior to their being undertaken. It is the responsibility of academic staff members to consult with their immediate supervisors when they are in doubt as to whether or not an outside activity warrants formal reporting.

Should the supervisor make the evaluation that outside activities are interfering with the academic staff member's performance, a written opinion shall be given to the academic staff member explaining why the outside activities are deemed excessive.

Should the supervisor's evaluation be questioned by the academic staff member, the academic staff member may appeal for further review to the appropriate Academic Staff Review Committee using procedures outlined for complaints/grievances. The Review Committee will hear the academic staff member's justification for outside activities and review the reasons given by the supervisor for considering the activity excessive or improper and forward its recommendation to the Chancellor following procedures in UW-W VI-A, 5.

8.05 Use of University Facilities for Outside Activities. The use of University facilities for outside activities shall be subject to the established UWW rules for the use and rental of University facilities to non-University groups.

ACADEMIC STAFF TITLING

I. TITLING COMMITTEE JURISDICTION, STRUCTURE, AND PROCESSES

A. **Jurisdiction.** The Academic Staff Titling Committee, a standing committee of the Academic Staff Assembly, shall have jurisdiction over the assignment of Academic Staff titles to academic staff positions as follows:

1. Category A New Positions - All new academic staff positions will be evaluated and assigned an academic staff title by the Titling Committee prior to recruitment and filling of the positions.
2. Category A Vacant Positions - If a vacant position is restructured upon becoming vacant, it will be considered a new position and will be assigned a title in accordance with the procedures for titling a new position. If, however, the responsibilities of a vacated position will remain unchanged when the position is refilled, the same title may be used without further review by the Titling Committee.
3. Category A Changed Positions - If an employe, supervisor or Dean/Division Head believes that a currently filled position's level of responsibility and/or duties have changed significantly since it was assigned its current title, an application may be made to the Titling Committee for a review of the position for possible retitling.
4. Category A Distinguished Prefix - The Titling Committee will review and evaluate the credentials of academic staff members seeking the Distinguished prefix, and will make an advisory recommendation to the Chancellor, who has sole authority for awarding the Distinguished prefix.
5. Category B Prefix Designations - The Titling Committee will review and render decisions on requests for prefix changes from Associate Lecturer to Lecturer, and from Lecturer to Senior Lecturer.
6. Conversion of Classified Positions to Unclassified - The Titling Committee will review and analyze requests for the conversion of a

classified position to unclassified, and will recommend approval or denial to the Chancellor, who will either uphold or overturn the committee's recommendation. The Chancellor's decision is subject to review by UW System Administration and the Department of Employment Relations. If the position is approved for conversion, the Titling Committee will assign an Academic Staff Title in accordance with the procedures for titling a new position.

- B. **Membership.** The Academic Staff Titling Committee shall consist of the Provost as Chairperson; the Director of Personnel Services; and three members of the academic staff appointed by the Chair of the Academic Staff Assembly for three year terms. At least one of the three appointees will be from Category B (instructional) staff. No two committee members may be from the same division (Category A) or college (Category B).
- C. **Terms.** Committee members appointed by the Assembly Chair may serve a maximum of two consecutive three-year terms. If appointed initially to fill the unexpired term of an Assembly member who has resigned, the individual may serve an additional two consecutive three-year terms, if reappointed by the Assembly Chair at the conclusion of the partial term. A person who has served a maximum term is eligible for reappointment after three years.
- D. **Quorum.** Three members of the committee constitute a quorum. All decisions require a majority vote of those present and voting.
- E. **Meetings.** The Titling Committee will meet as soon as possible after receiving a titling or conversion request which is accompanied by all the required documents. Ordinarily, the committee will meet within two weeks of receiving a request, and will report its decision to the affected parties within one week following the meeting.
- F. **Titling Committee Action.** The supervisor of the position will be afforded an opportunity to meet with the Committee to clarify any details about which the Committee has questions. The Provost will notify the supervisor of the committee's title decision within one week after the meeting at which the position is considered.
- G. **Appeals.** Decisions of the committee on retitling requests of occupied positions may be appealed to the Title Appeals Committee as described in Section VI of this chapter. Decisions of the committee on title assignments for new and redesigned vacant positions are final.
- H. **Records Retention.** The Titling Committee records shall be retained by the Provost for at least seven years.
- I. **Criteria for Titling Decisions.** The Academic Staff Titling Committee will utilize the Title Evaluation System for Unclassified Staff (Category A) established in March 1986 and revised in January 1989. The committee will review the Position Description Questionnaire and assign a point value to each response. The total point value establishes a salary range for the position. The committee will then assign a title which best describes the duties of the position, and also corresponds to the appropriate salary range.

The assignment of an Academic Staff Title is based on the primary duties of the position, i.e., 50% or more of the duties assigned. The title decision is based upon the Guidelines and Definitions contained in University Personnel Guideline#1: Unclassified Titles.

- J. **Effective Date.** If the position is retitled, the new title will take effect on the first of the month following the Titling Committee action.
- K. **Effect on Compensation.** If the retitling of a position places it in a higher salary range, the incumbent will receive a salary increase of 5%, or be moved to the minimum of the new salary range, whichever is greater, on the title change effective date, subject to the maximum of the range.

II. SUBMISSION OF REQUESTS

- A. **New Positions.** The Dean or Division Head will initiate the title assignment process by submitting to the Provost a request for a title assignment, along with five copies each of a completed Position Description Questionnaire (PDQ); an organization chart; and any other supporting documentation deemed relevant to the request. The Dean or Division Head may propose a title for the new position; however, the decision of the Titling Committee is final. Copies of the Position Description Questionnaire are available from the Provost's office.
- B. **Redesigned Vacant Positions.** If a vacant position is restructured upon becoming vacant, it must be submitted for a titling review prior to recruitment. The Dean or Division Head will initiate the title assignment process by submitting to the Provost the materials listed in II.A. above. Copies of the Position Description Questionnaire are available from the Provost's office.
- C. **Changed Positions.** The request may be initiated by the employee, the supervisor or the Dean/Division Head. If employee initiated, the request must be submitted to the immediate supervisor for review and comment, and be forwarded to the Dean/Division Head for signoff prior to being sent to the Provost as Chair of the Titling Committee. If initiated by the supervisor, the request must be forwarded to the Dean/Division Head for comment and signoff prior to being sent to the Provost as Chair of the Titling Committee. All requests by employees for the retitling of a position must be forwarded to the Provost for action by the Titling Committee, regardless of whether the supervisor and/or Dean/Division Head support the request, as all title assignment decisions are the responsibility of the Titling Committee.

Retitling requests must be accompanied by five copies of a completed Position Description Questionnaire (PDQ); an organization chart for the unit in which the position is located; a narrative description of the changes which have occurred in the position since it was assigned its current title; and a proposed new title and the rationale supporting that proposal. The PDQ form may be available from the Provost's office.

III. CATEGORY A DISTINGUISHED PREFIX

- A. **Criteria for Titling Decisions.** The Distinguished prefix is available only to academic staff who have titles in the Professional series (title code functions R00

through W99). The Academic Staff Titling Committee will base its decisions on the definition of "Distinguished" contained in Unclassified Personnel Guideline (UPG)#1 and the UW System Unclassified Title Definition Book, (Attachment 1 to UPG#1.)

Assignment of the Distinguished prefix is reserved for that very limited number of individuals who have extensive and consistent records of exceptional performance and who have been recognized for expertise in their field both within and outside of the University of Wisconsin System. It is not intended to be the final step in a normal career progression; seniority and longevity are not sufficient for awarding the designation. The Committee will evaluate applications for the Distinguished prefix on the basis of the following criteria:

1. Experience - A minimum of ten or more years of progressively responsible experience in the field is typically required to qualify as "extensive experience."
2. Peer Recognition - Peer recognition applies to a reputation of excellence within the profession, which is recognized by individuals or groups in the same profession who work, or are organized, outside of the UW System.

Evidence of peer recognition may include, but is not limited to:

- a. Receiving an achievement award, which recognizes a significant contribution to the profession, from a national or international organization. Consideration may also be given to comparable recognition at the regional level of the organization.
 - b. Serving at the request of national or international organizations or agencies as a consultant or spokesperson, because of the individual's reputation of excellence within the profession. Consideration may also be given to similar service at the regional level of the organization.
 - c. Serving as a representative of the University System to workshops, meetings, collaborative projects, where the individual makes a significant contribution to the outcomes.
 - d. Election to membership in a national or international professional organization where membership is granted in recognition of superlative accomplishments in the individual's field of work.
3. Recognized Expertise. Recognized expertise in the field is that which is known and acknowledged beyond the University System, primarily at national or international levels, but possibly at a regional level, depending on the organization. This recognition is for the independent development of innovative approaches, methods or techniques for solving new, unexpected or complex problems in the profession. Evidence of recognized expertise may include, but is not limited to:

- a. Making presentations on methods or techniques that are useful alternatives to current approaches used by professionals in the field;
 - b. Providing expert testimony or advice;
 - c. Serving as a reviewer for scholarly or technical publications;
 - d. Serving as an editor for professional publications;
 - e. Being invited to contribute book chapters;
 - f. Adoption or acceptance by peer professionals of methods or techniques developed by the individual.
 - 4. Outstanding Performance. This implies consistent performance at an exceptionally meritorious level. Evidence of outstanding performance may include, but is not limited to:
 - a. Consistently excellent performance evaluations;
 - b. Consistently higher than average merit ratings within the employe's constituency;
 - c. Promotion to higher UW-W academic staff levels;
 - d. Extramural grant awards;
 - e. Awards for distinguished service to professional organizations.
 - 5. Breadth of Impact. This implies the sharing of expertise with other professionals, including the most senior. Evidence of breadth of impact may include, but is not limited to:
 - a. Service in leadership positions within the individual's field that can influence the direction of the profession;
 - b. Instructing others in the profession on one's new techniques, procedures or developments in the field;
 - c. Contributions that affect legislative action or governmental policy;
 - d. History of professional publications that contribute to the body of knowledge in the field or benefit the profession.
- B. Submission of Requests.** Candidates for the Distinguished prefix should assemble five copies of the requisite documents for submission to the Titling Committee. These materials should be secured in a folder which will open flat, and should include a table of contents with all pages numbered sequentially. They include the following:
1. Transmittal Letter from the Dean/Division Head. This letter of transmittal should indicate the Dean/Division Head's recommendation concerning the staff member's candidacy.
 2. Letter of Nomination from the Director, Unit Head or Department Chair. This letter should describe qualities which have demonstrated the excellence of the staff member's performance. Consideration may be given to such things as initiative; creativity, problem solving ability; technical competence; productivity and quality of work; judgment; ability to communicate and interact with colleagues, students, and others; supervisory skills; willingness and ability to assume responsibility.
 3. Position Description and Organization Chart. This should include the nature and scope of the duties and responsibilities, and the approximate percentage of time devoted to each area of responsibility.

4. **Accomplishments.** This section should contain documentation as to how the candidate meets the criteria of experience; peer recognition; recognized expertise; outstanding performance; and breadth of impact, which are defined in the Criteria section of this document. Achievements should be presented in an integrated manner by year, rather than by category, to assist in determining when a candidate attained the status of Distinguished.
 5. **Letters of Recommendation.** In addition to the letters in 1) and 2) above, candidates should submit two letters of recommendation from professional colleagues outside of the University System, and two letters from professional colleagues within the University System. These letters should be from individuals who can describe the candidate's talents and evaluate his/her performance. Candidates may submit up to two additional letters of recommendation, for a total of six letters of recommendation. Candidates should include a brief explanation of each letter writer's professional relationship to the candidate.
 6. **Other Supporting Documentation.** This may include any additional material the candidate or nominating unit may feel would be helpful, such as letters or statements from the candidate, unsolicited letters from clients, students, outside agencies, if these letters relate to the candidate's professional expertise or accomplishments.
- C. **Titling Committee Action.** The Committee will make an advisory recommendation to the Chancellor, who has the sole authority for awarding the Distinguished prefix, within ten working days after the meeting to evaluate the request. The Committee will notify the individual and supervisor of its advisory recommendation at the same time it is forwarded to the Chancellor.
- D. **Final Decision and Notification.** The Chancellor will make the final decision and notify the candidate, the Dean/Division Head and the Titling Committee within two weeks of receiving the committee's recommendation.
- E. **Appeals.** Denial of a request for the Distinguished Prefix may be appealed to the Title Appeals Committee, following the procedures in Section VIII of this Chapter. If dissatisfied with the Appeals Committee's response, the candidate may pursue judicial review of the decision under provisions of Chapter 227.52-227.58, Wis. Stats.
- F. **Effective Date.** When approved, the Distinguished prefix becomes effective at the beginning of the following fiscal year.
- G. **Effect on Compensation.** Incumbents of positions which are awarded the Distinguished prefix will receive a 5% salary increase on the effective date of the prefix change, subject to the maximum of the salary range. This increase is in addition to other salary increases which take effect on the same date. An increase in excess of 5%, attributable to the Distinguished prefix designation, will require the Chancellor's approval.

IV. **CATEGORY B PREFIX CHANGES**

- A. **Criteria for Titling Decisions.** The Academic Staff Titling Committee will base its decisions on the Instructional Academic Staff Prefix Definitions contained in

Unclassified Personnel Guideline (UPG)#1, and the UW System Unclassified Title Definitions Book which is Attachment 1 to UPG#1.

The committee will also take into consideration such factors as the following:

1. Educational preparation;
2. Involvement in other instruction-related activities of the department which are open to instructional academic staff, such as undergraduate advising; assisting in policy and procedure development; course scheduling; curriculum development; participation in departmental outreach programs or other instructional activities;
3. Consistent record of positive evaluations and performance reviews;
4. Years of teaching experience in a higher education setting at 50% FTE or greater, with a minimum of seven years required for the Senior prefix level;
5. Recommendation of the employing department and college;
6. UW-W Academic Staff Promotion level (minimum of Level 2 or above for Senior prefix).

- B. **Submission of Requests.** The request may be initiated by the employe, the supervisor or the Dean. If employe initiated, the request must be submitted to the immediate supeevimor for review and comment, and be forwarded to the Dean for signoff prior to being sent to the Provost as Chair of the Titling Committee. If initiated by the supervisor, the request must be forwarded to the Dean for comment and signoff prior to being sent to the Provost as Chair of the Titling Committee.

All requests by employes for the retitling of a position must be forwarded to the Provost for action by the Titling Committee, regardless of whether the supervisor and/or Dean support the request, as all title assignment decisions are the responsibility of the Titling Committee.

Category B retitling requests must be accompanied by five copies of the supporting materials. These include a letter requesting a title review; letters from the Department Chair and Dean; a list of all teaching experience in higher education, including FTE; documentation of educational preparation and UW-W promotion level; copies of the most recent performance reviews; and a description of how the individual is qualified to hold the title requested.

- C. **Effective Date.** When approved, the prefix change becomes effective at the beginning of the following academic year.
- D. **Effect on Compensation.** Incumbents of positions which are approved for a prefix change from Associate to No Prefix, or from No Prefix to Senior, will receive a 5% salary increase on the effective date of the prefix change. This increase is in addition to other salary increases effective on the same date. An increase in excess of 5%, in recognition of the prefix change, will require the Chancellor's approval.

V. **CONVERSION OF A CLASSIFIED POSITION TO ACADEMIC STAFF STATUS**

- A. **Criteria for Titling Decision.** The Academic Staff Titling Committee will base its decision on the guidelines contained in UPG#7. This policy specifies that "Assignments to academic staff positions, which are exempt from the classified service and subject to personnel rules defined in UWS 9 through 14, Wis. Adm. Code, shall be made when (a) the position involves teaching, research, public service responsibilities, academic support activities or academic program administration; or (b) the position is separate and distinct to higher education; or (c) the position involves assigned duties which require close peer relationships with members of the faculty and academic administrators."

The Titling Committee shall also ensure conformity with the UPG requirement that "Nothing in this policy or in the institutional guidelines adopted pursuant to the policy shall be interpreted to permit assignment to the academic staff of positions normally found in clerical, (routine) technical, blue collar, crafts, security and public safety occupations." Furthermore, conversions will be limited to those positions which are exempt from the overtime provisions of the Fair Labor Standards Act as amended. In reaching its decision, the committee will utilize the definitions of terms included in the University Personnel Guideline#7.

B. **Submission of Requests.**

A request for the conversion of a position from classified to academic staff status must be submitted by the Dean/Division Head to the Provost, for review by the Titling Committee. The request must include five copies of the following materials:

1. A position description and organization chart;
2. A narrative explanation of how the position fulfills the requirements of the UWS Unclassified Personnel Guideline (UPG)#7;
3. Alternatives considered and reasons for discarding other alternatives;
4. A list of individuals consulted, and opinions or recommendations of those consulted;
5. Proposed Academic Staff title and rationale for that title;
6. Any other background information relevant to the request.

- C. **Titling Committee Action.** Following a review and analysis of the conversion request, the Titling Committee will submit a written recommendation, along with supporting rationale, to the Chancellor. If approval is recommended and the Chancellor agrees, the recommendation will be submitted to the UW System Administration Human Resources office for action in accordance with the Memorandum of Agreement between the Department of Employment Relations and the UW System.
- D. **Title Assignment of Converted Position.** A position approved for conversion from the classified to the unclassified service must be submitted to the Titling Committee for assignment of an Academic Staff Title in accordance with the rules for titling a new position.

VI. TITLE APPEALS

A. Title Appeals Committee.

1. **Membership.** The Academic Staff Title Appeals Committee shall consist of five (5) members appointed by the Chair of the Academic Staff Assembly with the approval of the Assembly for three year staggered terms. The Chair of the Appeals Committee shall be elected by the committee members annually, and shall have full voting privileges. The Director of Personnel Services or designees shall serve in an ex-officio capacity as a consultant to the committee, without voting rights.

The Committee membership shall reflect the diversity of academic staff positions on the campus. At least one, but no more than three members shall be from Category B academic staff. No two members may be from the same division (Category A) or same college (Category B). Any member from the same department as an appellant shall be disqualified from serving on the Appeals Committee for that appeal.

2. **Jurisdiction.** The Title Appeals Committee shall have the authority to hear appeals of title assignments made by the Academic Staff Titling Committee on Category A changed positions, and on denials of Category B prefix changes.
3. **Quorum.** Three members of the Title Appeals Committee shall constitute a quorum, which must be present for the consideration of and vote on an appeal.

- B. **Procedure.** Within thirty calendar days of receiving a written response from the Titling Committee on a request for a Category A title change, or a Category B prefix change, a person who disagrees with the committee decision, and wishes to appeal that decision, must file an appeal with the Title Appeals Committee. The appellant shall complete a Title Appeal Form, which is available from the Chair of the Academic Staff Assembly, the Chair of the Title Appeals Committee, or the Provost. The appellant shall forward the completed form along with a copy of the Position Description Questionnaire (PDQ) to the Chair of the Title Appeals Committee. Appeals which are not filed within the thirty day limit will be dismissed as untimely.

- C. **Appeals Hearing.** The chair of the Title Appeals Committee will hold a hearing within fifteen working days of the receipt of the appeal from the Assembly chairperson, unless the parties mutually agree to extend the time for reasons which may include, but are not limited to, the academic calendar. The appellant and immediate supervisor shall be notified in writing of the date and place of the meeting at least five working days in advance.

The appellant and supervisor will be provided the opportunity to appear before the Committee to discuss the appeal. If an appellant wishes to call individuals to testify before the Committee, he/she will provide the name(s) to the Chair no less than three working days in advance of the meeting. The appellant may also submit relevant written material in support of the appeal of a length determined as

reasonable by the Committee Chair. Five copies of this material must be filed with the Committee Chair no less than three working days prior to the scheduled appeal hearing. Failure to meet this deadline will result in the witnesses and/or written material not being considered as part of the hearing.

The Titling Committee will also be provided the opportunity to appear before the Appeals Committee to explain its reasons for making the title or prefix decision which is being appealed. The burden of proof is on the appellant to establish the justification for a title or prefix change. In reviewing the appeal, the Committee shall strive to maintain internal equity and consistent application of the standards set forth in the UW System Academic Staff Title and Compensation Plan. If the appellant requests a Special Assistant or Director, Unspecified title, the Appeals Committee review will include a scoring of the PDQ by the UW System Human Resources office.

- D. **Notification.** The Committee will report its findings and recommendations to the Academic Staff Assembly within ten working days following the hearing. The Assembly will then notify the Chancellor in writing of the Committee's actions. The Chancellor may affirm or overrule the Committee's recommendation. The Chancellor's decision is final and will be communicated in writing within ten (10) working days to the appellant and the appellant's supervisor by the Chancellor.
- E. **Records Retention.** The Appeals Committee shall forward all records and minutes related to the appeals decision to the Provost for retention for seven years.