

Faculty Chapter Three

Faculty Appointment

FAC 3.0. Incorporation of College Personnel Materials.

Please note that substantive requirements relating to faculty appointment, renewal, tenure, promotion, and merit may be found in materials developed at the college or department level. College-specific information has been included as an appendix to this material.

FAC 3.1. UWS 3.01 {Types of Appointments}, 3.03 {Appointments--General}, and 3.04 {Probationary Appointments} of the *Wisconsin Administrative Code*, Rules of the Board of Regents.

UWS 3.01 Types of appointments.

- (1) Appointments to the faculty are either tenure or probationary appointments. Faculty appointments carry the following titles: professor, associate professor, assistant professor, and instructor.
 - (a) "Tenure appointment" means an appointment for an unlimited period granted to a ranked faculty member by the board upon the affirmative recommendation of the appropriate academic department, or its functional equivalent, and the Chancellor of an institution via the president of the system.
 - (b) "Probationary appointment" means an appointment by the board upon the affirmative recommendation of the appropriate academic department, or its functional equivalent, and the Chancellor of an institution and held by a faculty member during the period which may precede a decision on a tenure appointment.
 - (c) In accordance with s. 36.05 (8), Stats., academic staff appointments may be converted to faculty appointments by the action of the board upon the recommendation of the appropriate faculty body and the Chancellor of an institution. Such faculty appointees shall enjoy all the rights and privileges of faculty.
 - (d) In accordance with s. UWS 1.05 members of the academic staff may be given faculty status. Members of the academic staff who have been given faculty status have employment rights under the rules and policies concerning academic staff.
 - (e) A person holding a faculty appointment under ss. 36.13 and 36.15, Stats., shall not lose that appointment by accepting a limited appointment for a designated administrative position.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75.

UWS 3.02 Recruiting.

The faculty of each institution, after consultation with appropriate students and with the approval of the Chancellor, shall develop procedures relating to recruitment of members of the faculty. The procedure shall be consistent with board policy and state and federal laws with respect to nondiscriminatory and affirmative action recruitment. The procedures shall allow maximum flexibility at the departmental, school and college levels to meet particular needs. In all instances the procedures shall provide for departmental peer review and judgment as the operative step in the recruiting process.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75.

UWS 3.03 Appointments--general.

The faculty of each institution, after consultation with appropriate students and with the approval of the Chancellor, shall develop rules relating to faculty appointments. Each person to whom an appointment is offered must receive an appointment letter in which an authorized official of the institution details the terms and conditions of the appointment, including but not limited to, duration of the appointment, salary, starting date, ending date, general position responsibilities, probation, tenure status, and crediting of prior service. Accompanying this letter shall be an attachment detailing institutional and system rules and procedures relating to faculty appointments. If the appointment is subject to the advance approval of the board, a statement to this effect must be included in the letter.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75.

1 **UWS 3.04 Probationary appointments.**

- 2 (1) Each institutions rules for faculty appointments shall provide for a maximum 7-year probationary
3 period in a full-time position, and may provide for a longer maximum probationary period in a
4 part-time position of at least half time. Such rules may permit appointments with shortened proba-
5 tionary periods or appointments to tenure without a probationary period. Provision shall be made
6 for the appropriate counting of prior service at other institutions and at the institution. Tenure is
7 not acquired solely because of years of service.
- 8 (2) A leave of absence, sabbatical or a teacher improvement assignment does not constitute a break
9 in continuous service and shall not be included in the 7-year period under sub. (1).
- 10 (3) Circumstances in addition to those identified under sub. (2) that do not constitute a break in conti-
11 nuous service and that shall not be included in the 7-year period include responsibilities with re-
12 spect to childbirth or adoption, significant responsibilities with respect to elder or dependent care
13 obligations, disability or chronic illness, or circumstances beyond the control of the faculty mem-
14 ber, when those circumstances significantly impede the faculty member's progress toward achiev-
15 ing tenure. It shall be presumed that a request made under this section because of responsibilities
16 with respect to childbirth or adoption shall be approved. A request shall be made before a tenure
17 review commences under s. UWS 3.06 (1) (c). A request for additional time because of responsi-
18 bilities with respect to childbirth or adoption shall be initiated in writing by the probationary faculty
19 member concerned and shall be submitted to a designated administrative officer who shall be au-
20 thorized to grant a request and who shall specify the length of time for which the request is
21 granted. Except for a request because of responsibilities with respect to childbirth or adoption, a
22 request made because of other circumstances under this section shall be submitted to a desig-
23 nated administrative officer who shall be authorized to grant a request in accordance with institu-
24 tional policies. A denial of a request shall be in writing and shall be based upon clear and convinc-
25 ing reasons. More than one request may be granted because of responsibilities with respect to
26 childbirth or adoption. More than one request may be granted to a probationary faculty member
27 but the total, aggregate length of time of all requests, except for a request because of responsibili-
28 ties with respect to childbirth or adoption, granted to one probationary faculty member ordinarily
29 shall be no more than one year. Each institution shall develop procedures for reviewing the re-
30 quests.
- 31 (4) If any faculty member has been in probationary status for more than 7 years because of one or
32 more of the reasons set forth in sub. (2) or (3), the faculty member shall be evaluated as if he or
33 she had been on probationary status for 7 years.

34 Example: A faculty member has been on probationary status for a total of 9 years because the fa-
35 culty member was granted 2 requests under sub. (3) for one-year extensions because of
36 the birth of 2 children. The faculty members teaching, research and professional and
37 public service and contribution to the institution shall be evaluated as if the faculty mem-
38 ber had only 7 years to work towards achieving tenure, rather than as if the faculty mem-
39 ber had been working towards achieving tenure for 9 years.

40 History: Cr. Register, January, 1975, No. 229, eff. 2-1-75; renum. to be (1) and am., cr. (2) to (4), Register,
41 February, 1994, No. 458, eff. 3-1-94.

42 **FAC 3.2.A. Probationary appointments.**

43 Tenure is not acquired solely because of years of service.

44 "Probationary appointment" means an appointment by the Board of Regents which is granted to a faculty
45 member who is employed half time or more.

46 The probationary period at University of Wisconsin Oshkosh shall be a maximum of: (1) seven years for
47 faculty appointed full time; (2) ten years for faculty appointed at least three-quarter time but less than full
48 time; or (3) fourteen years for faculty appointed at least half time but less than three-quarter time. As
49 stated in section UWS 3.04(2), above: "A leave of absence, sabbatical or a teacher improvement assign-
50 ment does not constitute a break in continuous service and shall not be included in the 7-year period . . ."
51 In addition, as set forth in section UWS 3.04(3), above, other specified circumstances may also be ex-
52 cluded from the seven-year rule.

1 The proportion of time provided for in the appointment may not be diminished or increased without the
2 mutual consent of the faculty member and the institution unless the faculty member is dismissed or termi-
3 nated or laid-off.

4 **FAC 3.2.B. Stopping or Suspending the Tenure Clock.**

5 It is the policy of the University of Wisconsin Oshkosh that these procedures should be implemented in a
6 fair, reasonable, and accommodating manner. Interest in accommodating the special needs of probatio-
7 nary faculty must be considered and evaluated in light of avoiding an undue prolongation or extension in
8 the length of the probationary period. For this reason, the process of making decisions on these requests
9 must ensure that actions are taken in a timely and appropriate manner.

10 Probationary faculty may present a request for stopping the tenure clock for the reasons set forth in sec-
11 tion UWS 3.04(3). Requests should be filed as soon as the probationary faculty becomes aware of the
12 circumstances or conditions that necessitate this special treatment. In order to ensure that the review of
13 the request is completed prior to the timeline for the submission of materials for renewal or tenure, the re-
14 quest should be filed no later than forty (40) working days prior to the date scheduled for the initial review.
15 (In emergency or other extenuating circumstances, the Provost and Vice Chancellor may accept and act
16 upon a request in an expeditious manner, provided that reasonable efforts are made to confer with the
17 following individuals and offices (or their equivalents): the college Dean, the department chair, the depart-
18 ment personnel committee, and the Director of Equity and Affirmative Action.)

19 If accepted, a request to "suspend the clock" shall not constitute a break in continuous service nor shall it
20 be included in the probationary period.

- 21 (1) The Provost and Vice Chancellor will serve as the "designated administrative officer" for making
22 decisions on all requests to stop or suspend the tenure clock.
- 23 (2) Probationary faculty initiate a request in writing filed with the Provost and Vice Chancellor's Office.
24 Duplicate copies of this material must also be simultaneously filed with the following individuals
25 and offices (or their equivalents): the college Dean, the department chair, the department person-
26 nel committee, and the Director of Equity and Affirmative Action.
- 27 (3) Any comments on the request from the offices designated above must be filed with the Provost
28 and Vice Chancellor's Office within ten working days.
- 29 (4) No later than ten working days after the close of the period for receipt of comments, the Provost
30 and Vice Chancellor shall make a final decision on the request. Copies of the decision shall be
31 sent to the following individuals and offices (or their equivalents): the concerned faculty, the
32 Chancellor, the college Dean, the department chair, the department personnel committee, and the
33 Director of Equity and Affirmative Action. This decision is not subject to review or appeal.
 - 34 (a) If the Provost and Vice Chancellor denies the request, it must be based upon clear and con-
35 vincing reasons that are presented in writing to the probationary faculty member at the time
36 that this decision is made.
 - 37 (b) If the Provost and Vice Chancellor accepts the request, the notification of that decision shall
38 specify the duration of the period covered by the decision and the timeline for the next per-
39 sonnel action pertaining to the probationary faculty member.

40 **FAC 3.3. Concurrent Appointments.**

41 An individual on a limited appointment, as defined in UWS 15 and University of Wisconsin Oshkosh rules
42 accompanying that section, may also be granted a concurrent faculty appointment.

- 43 (1) A concurrent appointment as faculty member shall require the recommendation of the appropriate
44 department or unit, and Chancellor.
- 45 (2) Limited appointees who hold concurrent faculty appointments shall be considered on leave of ab-
46 sence from the faculty position for that portion of time assigned to the limited appointment. If the
47 teaching assignment is one-half time or more the appointee moves toward tenure as defined by
48 the probationary period listed above.

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1 **FAC 3.4. Granting of Years of Experience.**

2 University of Wisconsin Oshkosh credits faculty with years of experience as follows: only experience rele-
3 vant to the duties that will be assumed at University of Wisconsin Oshkosh will be counted; graduate as-
4 sistantships and in most cases pre-bachelor degree experience shall not be counted. Up to three years of
5 credited prior experience at University of Wisconsin Oshkosh or other institutions, agencies, business,
6 industry, or other types of activity of sufficient quality to be related to the position at University of Wiscon-
7 sin Oshkosh, may be counted toward the probationary period. The number of years (if any) credited to-
8 ward the probationary period will be recommended by the department or unit to the Chancellor. The three-
9 year limitation also applies to changes of status as provided elsewhere in this document.

10 **FAC 3.5. Multiple-Year Contracts -- Initial Faculty Appointments.**

11 Initial appointments for faculty will typically be for two years, and can be recommended subject to the fol-
12 lowing conditions:

- 13 (1) The recommendations for two-year initial appointments will be initiated by the department level,
14 recommended by the department chair and college Dean, and presented to the Provost and Vice
15 Chancellor.
- 16 (2) All recommendations for two-year appointments will include written rationale from all levels of re-
17 view that address the following factors: (a) the credentials of the prospective employee; and (b)
18 an assessment of the candidate's likely contributions in the areas of teaching, research and ser-
19 vice.

20 **FAC 3.6. Letter of Appointment.**

21 Conditions of the appointment shall be specified in a letter of appointment signed by the Chancellor or de-
22 signee and shall include detailed terms and conditions of appointment as follows:

- 23 (1) Rank;
- 24 (2) Duration of appointment;
- 25 (3) Salary;
- 26 (4) Starting and ending dates;
- 27 (5) General position responsibilities;
- 28 (6) Statement of need approval by Board of Regents (if appropriate);
- 29 (7) Enclosure of University of Wisconsin Oshkosh and System rules, policies and procedures relating
30 to faculty appointments;
- 31 (8) Indication of whether the appointment is a probationary appointment or an appointment with te-
32 nure;
- 33 (9) Years of experience to be credited, including prior years of experience (if any) credited toward the
34 probationary period; and
- 35 (10) Indication of whether the appointment is terminal and hence not subject to further notice of re-
36 newal/nonrenewal.

37 **FAC 3.7. Immigration Law.**

38 The Federal Immigration Reform and Control Act of 1986 requires employers throughout the United States
39 to verify, document and maintain employee identification and work authorization status. This law pertains
40 to all permanent, project, and limited term employees. Processes require the employer to verify the em-
41 ployee's identity and employment authorization.

- 42 (1) All persons hired after November 1986 must complete the Employment Eligibility Verification
43 Form I-9, in person, in the Provost and Vice Chancellor's Office, within three working days. A 21-
44 day extension may be granted provided the employee submits written notice to the Provost and
45 Vice Chancellor's Office indicating an attempt to secure the appropriate document(s). Failure to
46 comply with the law will result in termination of the employee, and if audited, substantial financial
47 consequence levied against the University.

- 1 (2) I-9 forms will be retained in the Provost and Vice Chancellor's Office for a minimum of three years
2 after the date on which the person was hired, or one year after the date an individual's employ-
3 ment has been terminated, whichever is later.
- 4 (3) Copies of supporting documentation used to complete the I-9 form will be maintained in the I-9
5 file.

6 **FAC 3.8. Graduate Faculty.**

7 (1) Definition.

8 Graduate Faculty members shall include those persons of the University of Wisconsin Oshkosh
9 who qualify for and accept appointment as Graduate Faculty and who assume any of the incum-
10 bent responsibilities.

11 (2) Responsibility.

12 These responsibilities may include, but are not confined to, graduate admissions decisions and
13 recommendations; graduate student academic advisement; Graduate Council and/or departmen-
14 tal graduate committee activities; candidacy and Comprehensive Examination responsibilities; in-
15 volvement with theses, seminar or clinical paper development and evaluation; assignment to
16 graduate classroom instruction.

17 (3) Membership.

18 The Graduate Faculty shall consist of four groups:

19 (a) Ranked Faculty

20 Qualifications:

- 21 1. the earned doctorate or the appropriate terminal degree in the professional field or discip-
22 line;
- 23 2. rank of assistant professor, associate professor, or professor;
- 24 3. a record of productive scholarship;
- 25 4. ability for graduate level teaching;
- 26 5. assignment to activities central to the student's completion of graduate program require-
27 ments.

28 (b) Full-time Instructional Academic Staff (appointment for one year and renewable)

29 Qualifications:

- 30 1. the earned doctorate or the appropriate terminal degree in the professional field or discip-
31 line from a graduate school accredited by a regional accrediting agency;
- 32 2. a record of productive scholarship;
- 33 3. ability for graduate level teaching; and
- 34 4. assignment to graduate teaching or other responsibilities as identified under section (2)
35 above.

36 (c) Temporary Faculty (appointment is for one term and renewable)

37 Temporary status may be granted to persons without the appropriate terminal degree but
38 otherwise qualified for teaching a specific course, or part-time appointees assigned to teach a
39 specific course.

40 (d) Adjunct Faculty (appointment may be on a continuing basis)

41 Adjunct appointments are granted to persons who have professional expertise in their field
42 similar to faculty on the campus and who are fully employed outside the University. These
43 appointments do not include implications for tenure or probationary status and do not convey
44 faculty voting status. No salary or fringe benefits are awarded.

45 (4) Appointment Procedure.

1 (a) On an annual basis by October 1, each college shall respond to the Office of Graduate Stu-
2 dies indicating new nominees, continuing members, and deleted members of the Graduate
3 Faculty. Appointments will be recommended by the Provost, of the persons meeting qualifica-
4 tions listed in parts (2) and (3), and approved by the Graduate Council.

5 (b) All members of the Graduate Faculty at the time of the adoption of the revised Bylaws shall
6 retain their membership on the Graduate Faculty.

7 **FAC 3.9. Changes of Status.**

8 The following procedures pertain to changes in status of unclassified personnel at University of Wisconsin
9 Oshkosh.

10 (1) From academic staff to faculty.

11 A change from academic staff to faculty requires a recommendation from the affected academic
12 department or unit, through normal administrative channels, and approval by the Chancellor and
13 Board of Regents.

14 (2) From faculty to academic staff.

15 A change from faculty to academic staff will be possible if agreed to by the faculty member and
16 approved by the affected department or unit, through normal channels, and approved by the
17 Chancellor. In addition: (a) the faculty member must be appointed to a position with different re-
18 sponsibilities than he/she had as a faculty member; (b) the new position responsibilities must sat-
19 isfy those listed in the University of Wisconsin Oshkosh Academic Staff Policies and Procedures;
20 and (c) the title used must be consistent with those found in the UW System guidelines (i.e., "Un-
21 classified Personnel Guidelines No. 1").

22 (3) From faculty to limited appointment.

23 Faculty granted a limited appointment at University of Wisconsin Oshkosh shall not lose existing
24 rights to a faculty appointment by virtue of accepting the limited appointment. The time served in
25 the limited appointment shall not count toward the probationary period necessary to qualify for te-
26 nure consideration unless there is a recommendation from the department or unit that some or all
27 of the time count and the Chancellor approves.

28 (4) From limited appointment to faculty.

29 (a) If a limited appointee has a concurrent faculty appointment and the limited appointment is
30 terminated, he/she shall be transferred to the department or unit in which the concurrent fa-
31 culty appointment is held. The time served in the limited appointment shall not count toward
32 the probationary period necessary to achieve tenure unless there is a recommendation from
33 the department or unit that some or all of the time count and the Chancellor approves.

34 (b) A limited appointee who does not have a concurrent faculty appointment may be granted a
35 faculty appointment when he/she qualifies and a position exists. Such an appointment will re-
36 quire the concurrence of the concerned department or unit, the Dean or equivalent, the Prov-
37 ost and Vice Chancellor, and the Chancellor. The department or unit shall recommend to the
38 Chancellor the number of years of service in the limited appointment (if any) which shall count
39 toward the probation period.

40 **FAC 3.10. Leaves of Absence.** *(Review of this section by UW System Board of Regents is pending – Fall 2009.)*

41 A leave of absence generally includes leave without pay, sabbatical, professional development semester,
42 externally funded, and extended sick leave, which includes family, medical, domestic partner, and/or other
43 approved leaves. University approved leaves may include circumstances beyond those covered under the
44 Family Medical Leave Act (FMLA). Leaves must be approved at the department, college, and Vice Chan-
45 cellor levels. Leaves without pay are approved for a time period of up to one year and may be extended to
46 two years. Leaves beyond two years may be negotiated. A leave of absence outside of FMLA is contin-
47 gent upon affirmative recommendations for reappointment for the year in which the leave is requested.

48 The tenure clock automatically stops, unless otherwise requested, for faculty on leave for equal to, or
49 greater than, one semester. The contract is automatically extended for probationary faculty on leave and
50 this person does not go through the renewal process while on leave. When the faculty member returns, he

1 or she shall consult with the Provost and Vice Chancellor's office to determine the appropriate renewal
2 cycle and terms of appointment consistent with the Faculty Personnel Policies. Upon return, the term of
3 appointment will extend for the same number of years beyond the leave period as had been approved
4 prior to the leave. Each year of approved leave will extend the total term of appointment by one year.

5 Refer to Chapter 4, Part B. Faculty Renewal and Tenure in these Faculty Personnel Materials for notifica-
6 tion timelines.

7 **FAC 3.11. Appointment of Adjunct Professors.**

8 Any college or unit of the University may make recommendations for appointment as adjunct (instructors,
9 assistant professors, associate professors, or professors). In most cases, the recommendations will come
10 from the department to the deans, and be forwarded to the Provost and Vice Chancellor. After the Provost
11 and Vice Chancellor has attached his/her recommendations, they will be sent to the Chancellor for final
12 action. If the Chancellor approves, letters will be sent to the individuals announcing the appointments and
13 requesting return letters of acceptance.

14 Listed below are items that pertain to these appointments.

- 15 (1) Appointments are for one year only. Appointments may be renewed.
- 16 (2) No salary or fringe benefits are awarded.
- 17 (3) In some instances the University will furnish the person with a faculty identification card, office
18 space and keys, mailbox, library privileges, a parking permit, use of University and departmental
19 equipment, and departmental secretarial help.