

## Academic Staff Governance

### GOV 4. ACADEMIC STAFF GOVERNANCE.

#### GOV 4.1. Academic Staff Governance Rights.

Academic staff members at the University of Wisconsin Oshkosh are granted institutional governance rights by state statute. These rights are specified in section 36.09(4m), of the *Wisconsin Statutes*, which reads as follows:

"36.09(4m) Academic Staff. The academic staff members of each institution, subject to the responsibilities and powers of the board, the president and the Chancellor and faculty of the institution, shall be active participants in the immediate governance of and policy development for the institution. The academic staff members have the primary responsibility for the formulation and review, and shall be represented in the development, of all policies and procedures concerning academic staff members, including academic staff personnel matters. The academic staff members of each institution shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance."

#### GOV 4.2. Senate of Academic Staff Bylaws.

*Adopted May 1981*

*Bylaws Revised April 15, 1999*

*Bylaws Revised October 6, 2000*

*Bylaws Revised November 1, 2001*

*Bylaws Revised April 24, 2003*

*Bylaws Revised April 28, 2005*

*Bylaws Revised December 15, 2005*

*Bylaws Revised October 05, 2006*

*Bylaws Revised March 06, 2008*

#### ARTICLE I. NAME.

The name of the organization is the Senate of Academic Staff, herein referred to as the Senate.

#### ARTICLE II. PURPOSES.

The Senate shall (1) supervise and conduct the election of its members; (2) elect its own officers; (3) schedule and conduct its own meetings; (4) form and revise its own bylaws and rules of proceedings; (5) advise the Chancellor on matters pertaining to the *UW System Unclassified Personnel Guidelines No. 7* which deals with designating positions as "academic staff"; (6) advise the Chancellor on policies and procedures for the academic staff adopted pursuant to *UW System 9-14*, and prepare and propose for the Chancellor's approval needed changes in the policies and procedures; (7) serve as a hearing body (see *GOV 4.3.B*); and (8) perform such other tasks as it deems appropriate to its status as an active participant in the immediate governance of, and policy development for, the University of Wisconsin Oshkosh, subject to the responsibilities and powers of the Chancellor, the faculty and the students.

#### ARTICLE III. MEMBERSHIP.

A. The Senate shall consist of fifteen (15) members, herein referred to as a Senator, selected from those eligible to serve. Those eligible to serve and to vote include all academic staff members (and faculty serving in academic staff positions which became academic staff positions under the definitions of faculty and academic staff in Chapter 36, *Wisconsin Statutes*).

B. To determine service eligibility for the Senate, all academic staff members will be placed in one of two categories: Instructional or Professional/Administrative. The Election Committee shall determine the composition of the Senate based on the most recent year FTE apportionments in the three constituent categories of Instructional, Professional/Administrative, and Student Services with Professional/Administrative and Student Services combined into one category.

C. All academic staff members who have a current contract at the time of the election, regardless of tenure in position, are eligible to participate in the election of members to the Senate.

#### ARTICLE IV. TERM OF OFFICE.

**Senate of Academic Staff**

- 1 A. Senators are elected for a three-year term. The term of office begins at the first meeting in  
2 May immediately following election or re-election, and expires three years hence on April 30.  
3 No Senator can serve more than three consecutive terms.
- 4 B. The term of office for members of the Executive Committee is as follows: one year for the  
5 President, President-Elect, Secretary and Member-At-Large, and two years for the Vice Presi-  
6 dent.
- 7 C. The President-Elect shall assume the presidency at the first meeting in May at the conclusion  
8 of a President's term of office. In the event the President-Elect cannot succeed to the presi-  
9 dency, a former officer who still has a term of service shall be the moderator for the May meet-  
10 ing in the following priority:
  - 11 1. President
  - 12 2. Vice President
  - 13 3. Secretary
  - 14 4. Member-At-Large
  - 15 5. Seniority of Senators
- 16 D. If a Senator is serving as President-Elect or Vice President and his or her Senator term of of-  
17 fice expires, it shall be extended through the end of the President or Vice President term of of-  
18 fice. Therefore, the conclusion of the Senator's term of office will coincide with the conclusion  
19 of his or her President or Vice President term of office.

**ARTICLE V. ELECTION PROCEDURES.**

- 21 A. Elections are to be held in the spring of each academic year and completed no later than April  
22 25.
- 23 B. The Elections Committee will determine apportionment of each academic staff constituent  
24 category via the following formula:

Academic Staff Constituent Cate- gory FTE	Divided by total FTE	Equals percen- tage of FTE	Times 15 (num- ber of senate seats)	Equals number of constituent seats to be ap- portioned
<i>Example:</i> 141.14 (Instr'l FTE)	<i>Example:</i> 439	<i>Example:</i> 32%	<i>Example:</i> 15	<i>Example:</i> 5

- 25
- 26 C. Calculation of apportionment will occur at the beginning of the spring semester in each odd-  
27 numbered year.
- 28 D. Election ballots will be collected and tabulated in the Senate office, with oversight by the Elec-  
29 tion Committee. The candidate or candidates, depending on the number of constituent seats  
30 on the ballot, who receive the highest number of votes, a plurality, within each constituent cat-  
31 egory, are elected to a term of office.
- 32 E. Senate vacancies: In the case of a Senate vacancy prior to the next election, the President  
33 will appoint the next highest vote getter in the appropriate category to fill the remainder of  
34 term. If no one is able to serve who had been on the ballot, the President may appoint any eli-  
35 gible academic staff member in the appropriate category.
- 36 F. Referendums: In order to place a referendum question on a Senate election ballot, the Senate  
37 must approve the referendum question by a simple majority vote.

**ARTICLE VI. OFFICERS AND EXECUTIVE COMMITTEE.**

38 The President, President-Elect, Vice President, Secretary, and Member-At-Large shall constitute the  
39

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1 Executive Committee. The President, President-Elect, Vice President (when necessary), Secretary,  
2 and Member-At-Large shall be elected by the Senate from the Senate at the first meeting in May. The  
3 order of presidential succession is as follows: President-Elect, Vice President, Secretary, Member-At-  
4 Large then Seniority of Senators. Officers shall assume responsibilities at that time, as follows:

- 5 A. *President* - Calls meetings of the Senate; presides over the Senate; coordinates activities; is a  
6 member of the University Compensation Committee, the Provost's Administrative Staff, and  
7 U-PLAN; communicates with the Chancellor, the Faculty Senate, and the Oshkosh Student  
8 Association and Classified Staff Advisory Council on a regular basis; and prepares an annual  
9 report of Senate activities for distribution to all academic staff at the end of his or her term.  
10 The President calls and presides over meetings of the Executive Committee and may act for  
11 the Executive Committee when it is not available.
- 12 B. *President-Elect* – Represents the Senate at meetings as designated by the President, and is a  
13 member of the University Compensation Committee and U-PLAN. The President-Elect takes  
14 the place of the President when the President is not available.
- 15 C. *Vice President* - Chairs the Committee on Committees and is a member of the University  
16 Compensation Committee.
- 17 D. *Secretary* - Keeps minutes of the Senate meetings, coordinates the Senate website with the  
18 Senate webmaster, maintains the Senate Bylaws and prepares communication as needed.
- 19 E. *Member-At-Large* - Chairs the Election Committee. A Senator serving his or her first term is  
20 preferred. It is preferred that the Member-At-Large serve as the Senate representative to the  
21 Faculty Senate, Oshkosh Student Association and/or the Classified Staff Advisory Council.
- 22 F. *The Executive Committee* - Acts for the Senate when the Senate is not in session or when  
23 emergency situations or special circumstances warrant such action, e.g., limited decision time  
24 or special requests.

### 25 **ARTICLE VII. MEETINGS.**

- 26 A. Regular and special meetings will be called by the President as deemed necessary.
- 27 B. A quorum for any meeting of the Senate shall be eight (8) members.
- 28 C. All official resolutions introduced in the Senate will be numbered according to the year and the  
29 order of the resolution, e.g., SAS0607-01 would be used to number the first resolution intro-  
30 duced in the 2006-2007 academic year.
- 31 D. Any dispute regarding meeting procedures shall be resolved by reference to Sturgis Standard  
32 Code of Parliamentary Procedure unless otherwise covered by the Senate Bylaws. The Pres-  
33 ident will appoint a member of the Senate as Parliamentarian at the first meeting in May.
- 34 E. Attendance: Senators must attend at least 75% of the regularly scheduled meetings in a given  
35 academic year to retain their seat. The President may identify persons with a low attendance  
36 and the Senate may remove them from office by an affirmative, secret ballot vote of two-thirds  
37 of the membership of the Senate. The President will appoint the next highest vote getter from  
38 the most recent election in the appropriate category to fill the remainder of term. If no one is  
39 able to serve who had been on the ballot, the President may appoint any eligible academic  
40 staff member in the appropriate category. Proxy or absentee voting is not allowed.
- 41 F. Leave of absence: If a Senator knows he or she will not be able to attend meetings for a pe-  
42 riod of time, he or she may request a leave of absence from Senate duties. This request is  
43 acted upon by the Executive Committee. The President will appoint an eligible academic staff  
44 member to serve the Senate during the absence. Such a replacement has full voting rights  
45 and privileges. Leaves may be requested for up to one academic year. Senators expecting a  
46 longer leave are encouraged to resign their Senate seat.

### 47 **ARTICLE VIII. COMMITTEES.**

- 48 A. *Election Committee*: Comprised of the Member-At-Large (who will serve as chair) and two (2)  
49 Senators who serve for one election cycle and are recommended by the Senate and ap-  
50 pointed by the President in the fall preceding the spring election. The committee's charge is to

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1 conduct general election of Senators and the internal Executive Committee election. This in-  
2 cludes recruitment of potential candidates, ballot creation, and vote counting. The committee  
3 will resolve conflicts concerning placement of academic staff in respective constituent catego-  
4 ries. Members of this committee may not be on the ballot. If a committee member decides to  
5 run for the Executive Committee, he or she must resign from the committee prior to the Ex-  
6 ecutive Committee election.

7 B. *Committee on Committees*: Comprised of the Vice President (who will serve as chair) and  
8 two (2) Senators, who serve for one year and are recommended by the Senate and appointed  
9 by the President. The committee shall screen qualified academic staff members and present  
10 recommendations to the Senate for the purpose of making needed internal and University  
11 committee appointments.

12 C. *Outstanding Service Award Committee*: Comprised of at least five (5) academic staff mem-  
13 bers recommended by the Senate and appointed by the President. The length of terms will  
14 be staggered to assure continuity. The committee will elect its own chair. The committee will  
15 solicit nominations, review credentials and forward recommendations to the Chancellor. See  
16 ACS 13.

17 D. *Professional Development Committee*: Comprised of four (4) academic staff members who  
18 serve for three years with a maximum 2 consecutive terms and are recommended by the Se-  
19 nate and appointed by the President; the Faculty Development Board chair (who will serve as  
20 chair); and the Director of Grants. The committee reviews and makes funding recommenda-  
21 tions for the Academic Staff Professional Development component of the Faculty Develop-  
22 ment Board. Recommendations are forwarded by the Faculty Development Board to the  
23 Provost for action.

24 E. *Instructional Academic Staff Committee*: Comprised of the Senators from the Instructional  
25 Academic Staff category. The committee's charge is to examine and identify issues specific to  
26 Instructional Academic Staff and bring to the attention of the Senate those issues. The com-  
27 mittee will elect its own chair.

28 F. *Conference Committee*: Comprised of equal members of Senators from the Senate of Aca-  
29 demic Staff and Senators from the Faculty Senate for the purpose of clarifying and resolving  
30 differences in actions or decisions between the two governance groups on issues deemed to  
31 have a significant impact on the campus community.

32 G. *Special Subcommittees*: Recommended by the Senate and appointed by the President as  
33 needed.

### 34 **ARTICLE IX. REPRESENTATIVES TO OTHER LEADERSHIP GROUPS.**

35 The Senate will appoint representatives to the following:

36 A. Faculty Senate: a Senator, with preference for the Member-at-Large or other Executive Com-  
37 mittee member.

38 B. Oshkosh Student Association: a Senator, with preference for the Member-at-Large or other  
39 Executive Committee member.

40 C. Classified Staff Advisory Council: a Senator, with preference for the Member-at-Large.

41 D. UW System Academic Staff Representatives Council: a current or former Senator is preferred,  
42 otherwise, an academic staff member eligible for election. Attends Executive Committee meet-  
43 ings as a non-voting member. If a non-Senator is appointed to this position, he or she will also  
44 attend Senate meetings, as necessary, as an ex-officio, non-voting member.

45 E. Academic Staff Professionals Representation Organization: an academic staff member who is  
46 a current member of ASPRO. If a non-Senator is appointed to this position, he or she will also  
47 attend Senate meetings, as necessary, as an ex-officio, non-voting member. This appointment  
48 will be made in coordination with ASPRO.

### 49 **ARTICLE X. CHANGING THE BYLAWS.**

50 The Bylaws of the Senate of Academic Staff may be changed by the affirmative vote of two-thirds of

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1 the membership of the Senate. Before such a vote will take place, members of the Senate must be  
2 given notice regarding the intent to vote on proposed changes to the Bylaws. All proposals must be  
3 discussed during at least one Senate meeting prior to a vote on the proposed changes. At a minimum,  
4 the Bylaws shall be revisited and revised, if necessary, in the spring semester of every even-  
5 numbered calendar year.

### 6 **GOV 4.3. Senate of Academic Staff.**

#### 7 A. Election of Senate Members.

8 See Senate of Academic Staff Bylaws in GOV 4.2, Article III.

#### 9 B. Functions.

10 The Senate of Academic Staff shall have the following functions:

- 11 (1) to supervise and conduct the election of members to the Senate;
- 12 (2) to elect its president and other officers;
- 13 (3) to form and revise its own by-laws and rules of proceedings;
- 14 (4) to schedule and conduct its own meetings;
- 15 (5) to advise the Chancellor on matters pertaining to the UW System Unclassified Personnel  
16 Guideline No. 7 which deals with designating positions as "academic staff";
- 17 (6) to advise the Chancellor on policies and procedures for the academic staff adopted pur-  
18 suant to Chapters UWS 9 through 14, and to prepare and propose for the Chancellor's  
19 approval needed changes in the policies and procedures;
- 20 (7) to serve as a hearing body (*see GOV 4.3.C below*); and
- 21 (8) to perform such other tasks as it deems appropriate to its status as an active participant in  
22 the immediate governance of and policy development for the University of Wisconsin  
23 Oshkosh, subject to the responsibilities and powers of the Chancellor, the faculty, and the  
24 students.

#### 25 C. Hearing Committee.

26 The Senate of Academic Staff shall be responsible for forming the hearing bodies required by  
27 the UW System and University of Wisconsin Oshkosh academic staff rules.

##### 28 (1) Membership.

29 When it becomes necessary to form a hearing body, the president of the Senate shall be  
30 responsible for forming a three-member hearing committee according to the following pro-  
31 cedures:

- 32 (a) The three members shall be chosen from the Senate by the president, using random  
33 selection procedures. The chairperson of the hearing committee shall be appointed  
34 from among these three by the president.
- 35 (b) The president of the Senate shall not serve as a member of any hearing committee.
- 36 (c) No member of the Senate shall serve simultaneously on more than one committee  
37 hearing individual cases.
- 38 (d) The following are disqualified from service on a hearing committee: (1) any individual  
39 who participated in the initiation, formulation, investigation or filing of allegations or  
40 charges; (2) any individual who is a member of the concerned academic staff mem-  
41 ber's department or equivalent; and (3) any individual who is a material witness.
- 42 (e) If, in the opinion of the president of the Senate (and with concurrence of the Chancel-  
43 lor), members are needed to serve on additional hearing committees, they will be ran-  
44 domly selected by the president from academic staff in at least their third year of ser-  
45 vice at University of Wisconsin Oshkosh.

##### 46 (2) Procedures.

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1 If a hearing is determined to be necessary, the committee shall operate consistent with  
2 the procedures in this section. Where appropriate, additional procedural requirements in-  
3 dicated in the other sections of these rules shall apply. Requirements guaranteeing due  
4 process and assuring procedural uniformity include the following:

- 5 (a) At the request of the president of the Senate, and with the concurrence of the Chan-  
6 cellor, the University shall provide legal counsel to a hearing committee. All parties  
7 shall be notified if legal counsel is to be provided.
- 8 (b) Academic staff members shall be assured of a fair hearing, which will include the right  
9 to present testimony in one's own behalf, the right to offer witnesses, the right to  
10 cross-examine adverse witnesses, and the right to counsel or representation.
- 11 (c) The department or functional equivalent of the academic staff member concerned  
12 shall be consulted and have the opportunity to present evidence or testimony through  
13 the unit Director or other representative(s), as appropriate.
- 14 (d) By a majority vote a hearing committee may, on the motion of one of the academic  
15 staff members involved, or on its own initiative, disqualify any one of its members for  
16 cause. In such case, the president of the Senate shall designate a replacement un-  
17 less, in his/her opinion, the disqualification should occur after a significant portion of  
18 the hearing already has taken place. The same replacement procedures shall be fol-  
19 lowed in the event a member of the committee is not able to complete the assign-  
20 ment.
- 21 (e) Hearings shall be open or closed in accordance with the Wisconsin Open Meetings  
22 Law.
- 23 (f) A verbatim sound recording shall be made of all formal hearings. Upon written re-  
24 quest, a copy of the recording shall be made available at no cost within a reasonable  
25 period of time to anyone involved in the hearing.
- 26 (g) The committee shall have access to documentary evidence it believes to be pertinent,  
27 including public records and official documents specifically requested by the commit-  
28 tee, and shall have the right to summon witnesses necessary to assure a fair hearing.
- 29 (h) The Chancellor shall assist committees in obtaining witnesses and documents re-  
30 quired for proper conduct of hearings.
- 31 (i) The hearing committee shall not be bound by common law or statutory rules of evi-  
32 dence; it may admit evidence having reasonable probative value, but shall exclude  
33 immaterial, irrelevant or unduly repetitious testimony, and shall allow the exercise of  
34 legal privileges. Members of the hearing committee who participate in discussion of  
35 the merits and decision-making shall be familiar with all testimony, all deliberations,  
36 and all evidence presented.

### 37 D. Modification or Amendment

38 These policies and procedures may be changed as follows:

- 39 (1) The Senate of Academic Staff must approve any change(s) by an affirmative vote of two-  
40 thirds of the membership of the Senate.
- 41 (2) The president shall transmit all modifications to the Chancellor. Once the Chancellor has  
42 completed his or her review of the proposed change(s), the Chancellor shall inform the  
43 president of his or her concurrence or nonconcurrence with each specific item. Prior to  
44 taking action on a change, the Chancellor may request that the president submit a state-  
45 ment of rationale in support of any proposed modifications.
- 46 (3) Once the Chancellor has completed his or her action of the proposed changes, he shall  
47 submit the revised rules to the Board of Regents of the University of Wisconsin System.  
48 The Board may undertake a review of these changes; any review must be completed  
49 within 90 days. If the Board returns as disapproved any portion of the changes, that por-  
50 tion shall be suspended until reconsideration and resubmission has taken place.