Academic Staff Personnel Materials
University of Wisconsin Oshkosh

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Academic Staff Personnel Rules
Chapter One - Introductory Materials

ACS 1.0. Introduction.

These Academic Staff Personnel Rules for the University of Wisconsin Oshkosh were developed by the Senate of Academic Staff and approved by the Chancellor. These rules govern the nature of all academic staff appointments at the University of Wisconsin Oshkosh. These rules are consistent with requirements found in the rules of the Board of Regents, University of Wisconsin System as presented in the *Wisconsin Administrative Code*, and as presented as appendices to these rules. These rules are to be construed in accordance with the provisions of Chapter 36 of the *Wisconsin Statutes*. These rules clarify practice and procedures for Academic Staff personnel but do not define reporting structure or, in some cases, decision making authority.

ACS 1.1. Academic Staff Defined.

"Academic Staff," as defined in section UWS 1.01 of the *Wisconsin Administrative Code*, "means professional/administrative personnel, other than faculty and classified staff, with duties and types of appointments that are primarily associated with higher education institutions or their administration."

(1) Categories. The University of Wisconsin System recognizes three categories of Academic Staff: A, B, and C.

(a) Category A includes all professional/administrative academic staff such as: Administrative Directors/Officers, Program Managers and other Professional Titles.

(b) Category B includes researchers and instructional academic staff who provide for-credit instruction and training for students.

(c) Category C includes coaches as well as Academic Administrators constituting the executive layer of System and campus leadership.

(2) Limited Appointments Distinguished from Academic Staff Appointments. A limited appointment is a special appointment used for a designated administrative position that serves at the pleasure of the authorized official making that appointment. Chapter UWS 15 of the *Wisconsin Administrative Code* governs the use of limited appointments. Limited appointees will also hold a concurrent appointment as either a member of the faculty (nearly always with tenure), or as a member of the academic staff. 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.

ACS 1.2. Conditions of Academic Staff Appointments.

(1) Individuals appointed to the academic staff hold appointments as members of the University's unclassified staff and are hired and assigned to an identified operational area (e.g., academic department, college, or administrative unit, etc.) at the time of appointment.

(2) Academic staff appointments shall be issued to all professional/administrative unclassified positions.

(3) Academic staff appointments shall be issued to full-time, part-time and/or temporary instructional positions. Temporary appointments include:

(a) A position not expected to be filled for more than one year by the same individual (e.g., replacement for a person on leave);

(b) A position specifically designed for academic staff by the department or administrative unit; or

(c) A position created with funding from a source other than State General Purpose Revenue (e.g., federal grants or other private funding) such that continued funding for the position is uncertain.

ACS 1.3. Procedure for the Amendment of the Rules.

These policies and procedures may be changed as follows:

(1) The Senate of Academic Staff must approve any change(s) by an affirmative vote of two-thirds of the membership of the Senate.

(2) The President shall transmit all modifications to the Chancellor. Once the Chancellor has completed his or her review of the proposed change(s), the Chancellor shall inform the President of his or her concurrence or nonconcurrence with each specific item. Prior to taking action on a change, the Chancellor may request that the President submit a statement of rationale in support of any proposed modifications.

(3) Once the Chancellor has completed his or her action of the proposed changes, he shall submit the revised rules to the Board of Regents of the University of Wisconsin System. The Board may undertake a review of these changes; any review must be completed within 90 days. If the Board returns as disapproved any portion of the changes, that portion shall be suspended until reconsideration and resubmission has taken place.

Academic Staff Personnel Rules
Chapter Two - Academic Staff Appointments

ACS 2.0. Types of Academic Staff Appointments.

As defined in section UWS 10.01 of the Wisconsin Administrative Code, there are three types of academic staff appointments: fixed-term, probationary, and indefinite. UW Oshkosh has identified three different types of fixed-term appointments and does not use probationary academic staff appointments or indefinite academic staff appointments.

ACS 2.1. Fixed-Term Academic Staff Appointments.
As set forth below, there are three types of fixed-term academic staff appointments at UW Oshkosh: (1) terminal contracts, (2) renewable contracts, and (3) rolling horizon contracts. When determining the appropriateness of a terminal contract or a renewable contract, considerations include if the position is instructional or not; the full-time equivalency (FTE) of the position; and the funding source of the position.

(1) Terminal Contract. A terminal contract is a contract for a fixed and limited period of time, not to exceed three calendar years, and most often presented as “one year only” or “one semester only.” Those holding a terminal contract work under an appointment with a fixed and clearly stated ending date. For those holding a terminal contract, there is no expectation of continued appointment after the ending date of the contract. Since a terminal contract has a fixed ending date, this type of fixed-term academic staff appointment ends by its own stated terms. This means that those holding a terminal contract do not receive notice of contract nonrenewal. This also means that no formal notice of the contract ending date is required beyond the terms of the contract itself. The following language from section UWS 10.5(1)(b) of the *Wisconsin Administrative Code* shall be included in the letter of appointment for those holding a terminal contract: “When the letter of offer for a fixed-term appointment states that renewal is not intended, no further notice of nonrenewal is required.” Terminal contracts may be issued when the appointing authority makes the determination that such a fixed-duration appointment best addresses the University’s needs, including such factors as financial, staffing, or planning requirements.

(2) Renewable Contract. A renewable contract, also known as a “continuing contract” or “continuing appointment,” is a contract for a stated period of time, that is subject to the contract renewal process as stated in these academic staff personnel rules. A renewable contract can lead to a rolling-horizon contract. To be eligible for a two or three year continuing contract, one must be in their fifth year of service at UW Oshkosh. Those with two or more years of prior experience at another university become eligible in their third year of service at UW Oshkosh. Renewable contracts may be issued when the appointing authority makes the determination that such appointments best address the University’s needs, including such factors as financial, staffing, or planning requirements. The initial level of review, may recommend a two-year contract renewal during an appointee's second year of service. In order to be effective, this recommendation must be reviewed and approved by either the Provost and Vice Chancellor for Academic Affairs, or designee (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services, or designee (for all other non-instructional academic staff appointments) This will eliminate the need for two reviews during that second year of service.

(3) Rolling-Horizon Contract. A rolling-horizon contract provides for automatic yearly extension of the contract’s ending date without going through the contract renewal process. A rolling horizon contract can be either for two years or three years.

(a) Rolling-horizon appointments are available to academic staff who were previously on a renewable contract and are intended to offer a measure of continuously-updated job security. Rolling-Horizon contracts may be issued when the appointing authority makes the determation that such an appointment best address the University’s needs, including such factors as financial, staffing, or planning requirements.

(b) Conditions and Characteristics.

1. Rolling-horizon appointments are not part of career progression.

2. The use of rolling-horizon appointments does not eliminate or lessen the requirement for annual performance reviews.

3. The essential feature of rolling-horizon appointments is that each year the expiration date for the appointment is automatically extended by one fiscal year **unless** specific administrative action is taken by May 1 to prevent that extension.

4. As a general rule, instructional academic staff are **not** eligible for appointment to a rolling-horizon contract. When the hiring unit seeks to recommend the issuance of such a contract to a continuing instructional academic staff employee, the department chair shall confer with the Dean and Provost and Vice Chancellor for Academic Affairs. The hiring unit must provide a compelling case why the services provided are not being delivered by tenure track or tenured faculty.

(c) Length of Service Requirements. Those with no prior university-level experience become eligible for a rolling horizon appointment in their fifth year of service at UW Oshkosh. Those with two or more years of prior experience at another university become eligible in their third year of service at UW Oshkosh.

(d) Factors Considered. The suitability of a rolling-horizon appointment for a particular individual will be based on an evaluation of all of the following factors:

1. The quality of the individual's work performance;

2. Evidence of the individual's performance in meeting job responsibilities and in completing assigned tasks;

3. The individual's demonstrated ability to adapt to changing circumstances and new or emerging expectations;

4. The projected short- and long-term staffing profile of the concerned unit or office; and

5. The availability and stability of funding for the position.

(e) Appointment Procedure. The issuance of rolling-horizon contracts requires positive administrative action (i.e., the recommendation of the first-level supervisor and concurrence by subsequent review levels). If a hiring unit's recommendation for the issuance of a rolling horizon contract is not supported by the subsequent levels of review, the academic staff member shall be so informed by the Chancellor, or designee. This decision shall not be subject to appeal or grievance.

(f) Breaking the Cycle. All rolling-horizon contracts shall include the following language: "Unless the employee is notified of the non-extension of this contract prior to May 1 of any given contract year, the appointment ending date shall automatically be extended for one additional year. Once the employee is notified of non-extension, the appointment shall have a fixed ending date." In these instances, once a decision is made to break the automatic renewal cycle of a rolling-horizon contract, the Chancellor, or designee, will provide a written statement of the reasons. This decision shall not be subject to appeal or grievance.

(g) Relationship of Non-Extension to Nonrenewal. Not rolling over the contract is **not** the same as nonrenewal of the contract. The regular nonrenewal procedures and the established notification deadlines will be followed; further, all established appeals mechanisms govern nonrenewals, including those for employees previously serving on a rolling-horizon appointment.

(h) Two- to Three-Year Contract. An individual working under a two-year rolling horizon contract may be recommended for a three-year rolling horizon contract at the time of the annual performance review. This recommendation shall be reviewed and considered by all levels of review, with the final decision being made by the Chancellor or designee. In this instance, a new letter of appointment shall be issued to reflect this change in appointment.

(i) Three- to Two-Year Contract. An individual working under a three-year rolling horizon contract may be recommended for a two-year rolling horizon contract at the time of the annual performance review. This recommendation shall be reviewed and considered by all levels of review, with the final decision being made by the Chancellor or designee. In this instance, a new letter of appointment shall be issued to reflect this change in appointment.

Fixed-term Appointments					
Type of Contract	Duration	Eligibility (required years of service)	Clearly Stated Ending Date	Notice of Renewal or Nonrenewal	Evaluation Required
Terminal	1-3 years	0	Yes	No	Yes
Renewable	1 year	0	Yes	Yes	Yes
Renewable	2-3 years	3-5 (see above)	Yes	Yes	Yes
Rolling-Horizon	2-3 years	3-5 (see above)	Yes	No; automatically extended each year unless administrative action is taken	Yes

ACS 2.2. Probationary and Indefinite Academic Staff Appointments.

UW Oshkosh does not use probationary academic staff appointments or indefinite academic staff appointments. Should this policy change, appropriate personnel rules shall be developed consistent with the provisions of section UWS 10.03(2)(a) of the *Wisconsin Administrative Code*.

ACS 2.3. Personnel Administration for Academic Staff Appointments.

(1) The Office of the Provost and Vice Chancellor for Academic Affairs – through the Associate Vice Chancellor for Academic Affairs – provides administrative oversight for all personnel issues and processes relating to instructional academic staff appointments. In fulfilling these duties and responsibilities, the Associate Vice Chancellor for Academic Affairs works closely with the college deans, the Director of Human Resources, and the Director of Equity and Affirmative Action.

(2) For all other academic staff appointments, the Vice Chancellor for Administrative Services – through the Director of Human Resources – provides administrative oversight for all other personnel issues and processes relating to academic staff appointments. In fulfilling these duties and responsibilities, Director of Human Resources works closely with the appropriate Vice Chancellors and the Director of Equity and Affirmative Action.

Academic Staff Personnel Rules
Chapter Three - Recruitment of Academic Staff

ACS 3.0. Recruitment of Academic Staff.

When it is determined that an academic staff position is open, the hiring unit shall seek permission to recruit through the regular lines of reportage.

ACS 3.1.

The hiring unit shall develop the following materials:

(1) a detailed position description;

(2) a proposed title for the position (using, if appropriate, the University of Wisconsin System position questionnaire);

(3) the proposed salary range;

(4) the type of academic staff appointment; and

(5) the proposed recruitment plan for filling this vacancy.

ACS 3.2.

The review and approval of all materials submitted by the hiring unit prior to authorizing the initiation of the search or the posting of the position announcement shall be conducted, as follows: (1) for instructional academic staff positions, by the Associate Vice Chancellor for Academic Affairs and the Director of Equity and Affirmative Action; (2) for all other academic staff positions, by the Director of Human Resources and the Director of Equity and Affirmative Action.

ACS 3.3.

Each unit recruiting for a position will have the responsibility to identify and interview candidates following the search and screen procedures in Gov. 6.4. Appointment forms shall be completed by the originating unit and flow through each supervisor to either the Provost and Vice Chancellor for Academic Affairs (or designee) or the Vice Chancellor for Administrative Services(or designee), as appropriate, for processing. The originating unit is responsible to recommend the candidate and items in the contract such as the length of time during the initial fixed-term when the individual is subject to dismissal, salary, title, and length of appointment. This information should be consistent with the position as advertised. While the Associate Vice Chancellor for Academic Affairs (for instructional academic staff positions) and Director of Human Resources (for all other academic staff positions) are responsible for the review and preparation of the contracts and letters of appointment, the final approval of the contract and its terms rests with the Chancellor or designee.

ACS 3.4.

In order to respond to demonstrated market forces, the immediate supervisor of an academic staff position may request that the person be hired under a two-year initial appointment. These requests shall be subject to **careful review and scrutiny** by all levels of review. The Chancellor or designee shall make the final decision whether to issue an initial two-year appointment.

Academic Staff Personnel Rules Chapter Four - Letter of Appointment and Orientation

ACS 4.0. Letter of Initial Appointment.

Conditions of the appointment shall be specified in a letter of appointment signed by the Chancellor or designee or (1) for instructional academic staff appointments, by the Provost and Vice Chancellor for Academic Affairs (or Associate Vice Chancellor for Academic Affairs), or (2) for non-instructional academic staff appointments, by the Vice Chancellor for Administrative Services (or Director of Human Resources). All letters of appointment shall include detailed terms and conditions of appointment as follows [as required by UWS 10.02(2)]:

(1) Title and type of appointment;

(2) Duration of appointment

In order to place the academic staff member's renewal date into the established review cycle, the initial contract offered to mid-year hires may be for either (a) the period through the end of the academic year or June 30th, i.e., less than 12 months in length, or (b) through the end of the second academic year, or June 30th, i.e., greater than 12 months in length;

(3) Salary;

(4) Definition of operational area;

(5) A general description of the duties and responsibilities of the position;

(6) Statement of the need for approval by Board of Regents (if required);

(7) An invitation to the next scheduled orientation (See ACS 4.1); and

(8) A copy of the academic staff personnel rules or the citation to the rules in electronic form through the University's website.

ACS 4.1. Orientation

The hiring unit has the primary responsibility to provide an orientation to campus for newly-hired Academic Staff. The Associate Vice Chancellor for Academic Affairs and Director of Human Resources shall help develop a program or materials that addresses a variety of topics including an explanation of employment-related benefits, academic staff personnel rules and information on the Academic Staff mentoring program. Additionally, these offices may periodically provide group orientation to newly hired employees.

Academic Staff Personnel Rules
Chapter Five - Changes in Appointment

ACS 5.0. Changes in Assignment.

Significant changes in conditions of the appointment shall be specified in writing by the supervisor at least 14 calendar days before the change. At the time that a significant change in assignment is under review, such considerations as change in title, change in compensation, and other related issues shall also be reviewed in accordance with any applicable campus or system rules and policies. **ACS 5.1. Transfers.**

The Chancellor or designeee may authorize various types of transfer of academic staff members, including transfers within an operational area or to different operational areas. If a transfer has been authorized, the academic staff member shall be informed by the supervisor. Academic staff on fixed-term appointments who are transferred to a different operational area at University of Wisconsin Oshkosh must serve a minimum of two years in the new position before any longer term appointments, as provided for in these rules, can be made by the new area. Time served in the previous position shall count toward longer term appointments at University of Wisconsin Oshkosh.

ACS 5.2. Conversions Between Classified Staff and Academic Staff.

(1) Academic staff positions can be converted to classified staff positions, and classified staff positions can be converted to academic staff positions. According to provision No. 4, UW System Unclassified Personnel Guidelines No. 7, the Chancellor or designee of each institution shall appoint a committee or committees which have the responsibility for advising the campus administration to:

(a) assure compliance with Unclassified Personnel Guidelines No. 7;

(b) develop institutional guidelines and procedures for transfer between academic staff and classified service; and

(c) review and approve all applications for transfer between academic staff and classified service.

(2) The Chancellor or designee has designated an Academic Staff Titling Committee comprised of the Senate of Academic Staff to carry out this function.

(a) It is the position not the person that is to be converted. This means that positions and people holding specific assignments are independently converted.

(b) When the position being converted is in a college unit, the request must come from the department chair or equivalent and then go to the appropriate Dean in the college, then to the Associate Vice Chancellor of Academic Affairs and then to the Provost and Vice Chancellor for Academic Affairs.

(c) When the position being converted is in a non-college unit, the request must come from the immediate supervisor, then go to the unit Director or the appropriate supervisor, then to the Director of Human Resources, then to the Vice Chancellor for Administrative Services.

(d) The Chancellor or designee will approve or disapprove the request and submit conversion requests to UW System Administration for approval.

(e) The final decision will be shared with the Senate of Academic Staff.

(f) Requests to change between classified staff position and academic staff position shall include: (1) the title of the position to be changed; (2) the conversion request has been reviewed by a conversion committee and approved by the chancellor; (3) a copy of the former classified position description and organization chart and the new unclassified position description and organization chart; (4) the background circumstances associated with the changes; (5) a detailed explanation using the information in UPG 7 regarding why the redesigned position is now more appropriate in the unclassified service; (6) other compa-

rable position at our instituting and at other UW institutions which are academic staff; (7) based on the review/audit by the Human Resources Office, a detailed explanation of why the position's work cannot be identified in the classified service; (8) the unclassified title being recommended; (9) the academic credentials and experience that relates to the position's higher educational work area.

ACS 5.3. Conversions Between Academic Staff and Faculty.

(1) From academic staff to faculty.

(a) For an instructional academic staff person to be converted to faculty, they must have been originally hired through the normal recruitment and hiring process.

(b) A change from academic staff to faculty requires a recommendation from the pertinent academic department or unit, submitted through normal administrative channels and processes for approval by the Provost and Vice Chancellor for Academic Affairs, Chancellor or designee and Board of Regents.

(2) From faculty to academic staff. A change from faculty to academic staff will be possible if agreed to by the faculty member and approved by the affected department or unit, through normal channels, including review by the Provost and Vice Chancellor for Academic Affairs, resulting in approval by the Chancellor or designee. In addition:

(a) the faculty member must be appointed to a position with different responsibilities than he/she had as a faculty member; and

(b) the title used must be consistent with those found in UW System UPG 1.

When transferring from a faculty to an academic staff position, time served as a faculty member at UW Oshkosh shall count as time served in the academic staff position, provided that the experience is relevant to the duties to be assumed in the academic staff position.

ACS 5.4. Academic Staff to Limited Appointment.

An academic staff member who accepts a limited appointment shall not lose credit for the prior time served in the academic staff position.

Academic Staff Personnel Rules
Chapter Six - Evaluation

ACS 6.0. Evaluation of Academic Staff.

All evaluation processes for the academic staff shall be conducted in a manner consistent with any particular requirements of the University's compensation guidelines (which are normally issued on a yearly basis). For academic staff with a split assignment, the unit in which the assignment is greatest shall have responsibility for initiating the evaluation. All other supervisors shall file evaluations with the initiating unit, with copies also provided to the next level of administrative reportage (i.e., a director files copies with the other unit's supervisor or director and also with the appropriate Vice Chancellor or equivalent administrator to whom they report). For appointments involving individuals with split appointments in instructional academic staff areas, the Associate Vice Chancellor for Academic Affairs willdecide which unit shall originate the recommendation; for all other academic staff with split appointments, the decision will be made by the Director of Human Resources after consultation with the appropriate Vice Chancellor(s). **ACS 6.1. Instructional Academic Staff.**

(1) For all instructional academic staff, annual face-to-face meetings will be held with supervisors to discuss performance.

(2) Continuing instructional academic staff will be evaluated every two years for the previous **two calendar years**. Academic staff on terminal appointments will be evaluated each year for the previous calendar year.

(3) This evaluation will include at least one classroom visit by a department (or equivalent) colleague, and at least three classes of student evaluations during any two year period for instructional academic staff teaching half time or more.

(4) Expectations in the areas of teaching, scholarship and service will be communicated (in writing) at the prior year's evaluation for continuing academic staff or at the start of the contract for terminal academic staff. The expectations for instructional academic staff are typically different from those for tenured and tenure-track faculty, as determined by the college and/or department (or equivalent).

(5) Instructional academic staff may provide an annual evaluation folder describing their activities in relation to the expectations provided.

(6) Peer and student evaluations along with review of material supplied by the academic staff member will be used to establish merit.

(7) Specific methods for determining merit will be established in each college.

ACS 6.2. Professional/Administrative Academic Staff.

The University of Wisconsin System requires annual evaluation of professional/administrative academic staff. In addition, the University of Wisconsin Oshkosh Salary Adjustment Guidelines require that supervisors of such academic staff provide performance/merit expectations, including the relative weights of criteria, well in advance of merit evaluation. Academic staff members must have an opportunity to submit relevant documentation addressing these expectations and their individual performance. The dates used in subsections (3) to (7) below approximate the actual dates as established each year will be published in the annual calendar.

(1) Annual evaluations cover the preceding calendar year (Jan. 1 - Dec. 31). Individuals with split appointments will be evaluated in each assignment area.

(2) Supervisors of professional/administrative academic staff will meet with the academic staff member to review, discuss and establish performance expectations that may either be in the form of a listing of specific goals, projects or initiatives (including the relative priority assigned to each item) or through the establishment of any other relevant performance/merit standards (that should also be presented in a manner that includes relative priority or appropriate weighting of these factors).

(3) Before the first week of December, supervisors will request in writing that professional/administrative academic staff submit information summarizing relevant activities and accomplishments during the preceding calendar year.

(4) By the end of the first week of January, professional/administrative academic staff will provide the information requested. The materials will include information related to the performance/merit expectations discussed and agreed on during the previous evaluation conference. Those with split appointments and/or teaching assignments will submit appropriate information on activities to the respective areas of assignment.

(5) By the end of the third week in January, supervisors will complete their evaluations and schedule conferences with each individual. The conferences will provide both positive and negative feedback on performance, establish performance/merit expectations and the weight of the criteria for the next evaluation, and discuss development activities which might be used to strengthen the staff member's preparation and performance.

(a) Performance/merit expectations should be specific to the individual and position.

(b) The supervisor will summarize the evaluation of the previous year's performance in writing and discuss performance/merit expectations and the weight of criteria for the coming year.

(c) Performance/merit expectations and evaluations must include support for and implementation of Affirmative Action and Equal Opportunity.

(d) The staff member will sign the evaluation document to acknowledge that the information has been seen and discussed. The person evaluated may append any written disagreement.

(6) By the end of the first week of February, evaluation conferences will be completed and copies of the signed evaluation document [including any appendices from 5(d)] will be forwarded to the appropriate Dean, Vice Chancellor, or equivalent. Supporting documentation should not be included.

(7) By the end of the second week of February, evaluation documents will be forwarded to the Human Resources Director.

(8) The evaluations prepared during this process will become the basis for distributing the portion of the annual salary adjustment based upon merit.

Academic Staff Personnel Rules
Chapter Seven - Contract Renewal

ACS 7.1 Contract Renewal.

Academic staff holding terminal contracts are not subject to renewal and nonrenewal. Those academic staff on renewable contracts shall be reviewed and recommendations made for Renewal/Nonrenewal. Those on rolling horizon contracts have an automatic extension of their contracts' ending date without the necessity of going through the contract renewal process.

Renewal/nonrenewal decisions (with the exception of academic staff in their second year of employment as noted below) will be made in conjunction with the annual evaluation process and will use the same form and same time schedule. As each administrative level reviews an evaluation, it will determine whether renewal should be recommended or not. The Chancellor or designee has final authority on all renewal decisions.

ACS 7.2. Renewal Schedule

The renewal schedule by contract year is set forth in the chart that follows:

Contract Year	Decision from Chancellor (or designee)	Evaluation Period	Notice Period
Year 1	March 1	Normally done with usual Dec/Jan evaluations	Renewed to second year or entitled to three months notice if not renewed.
Year 2*	Dec 1	Performed early in the fall	Renewed to third year or fourth year or entitled to six months notice if not renewed.
Year 2*	May 15	Normally done with usual Dec/Jan evaluations	Renewed to fourth year or entitled to one year's notice if not renewed in third and subsequent years.
Year 3 and beyond	May 15	Normally done with usual Dec/Jan evaluations	Renewed to fifth year and beyond or entitled to one year's notice if not renewed in third and subsequent years.

*Notes for Year 2: Renewal happens twice during the second year in order to get the individual into the regular one-year notice period. This is three months notice during the first year, six months during the second year, and one year's notice beyond that. The only way to get the one-year notice is to have two renewals during the second year of employment. It is also possible to be renewed to the fourth year, in which case the second year 2 review is unnecessary. See ACS 2.1(2).

ACS 7.3. Notice Provisions.

(1) Notice of Pending Renewal Decision. Each academic staff member to be acted on for renewal/nonrenewal should be given written notice at least ten calendar days prior to the date the initial recommendation on renewal/nonrenewal will take place. In the same letter the academic staff member will be informed he/she may submit materials he/she feels are germane to the review. Additions may be made up until five calendar days before the initial recommendation of renewal/nonrenewal is to be made. It shall be the immediate supervisor's responsibility to provide such notice.

(2) Notice of Renewal Decision. Each supervisor or committee participating in the renewal/nonrenewal process shall inform the academic staff member in writing within 20 calendar days of each recommendation. Such letters are limited to informing the academic staff members of recommendations pertaining to renewal or nonrenewal.

ACS 7.4, Leaves of Absence. ***(Review of this section by UW System is pending – Fall 2009.)***

A leave of absence generally includes the following types: leave without pay, professional development semester, externally funded, and extended sick leave, which includes family, medical, domestic partner, and/or other approved leaves. University approved leaves may include circumstances beyond those covered under the Family Medical Leave Act (FMLA). Leaves must be approved at the department or unit level, college or division, and Vice Chancellor levels. Leaves without pay are approved for a time period of up to one year and may be extended to a maximum of two years. Leaves beyond two years may be negotiated. A leave of absence outside of FMLA is contingent upon affirmative recommendation or reappointment for the year in which the leave is requested.

The renewal clock automatically stops and the contract is automatically extended for continuing academic staff on leave and the person does not go through the renewal process while on leave. When the continuing academic staff member returns, he or she shall consult with either the Office of the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff positions) or the Director of Human Resources (for all other academic staff positions)to determine the appropriate renewal cycle and terms of appointment consistent with the Academic Staff Personnel Policies. Upon return, the term of appointment will extend for the same number of years (one or two) beyond the leave period as had been approved prior to the leave. Each year of approved leave will extend the total term of appointment by one year.

ACS 7.5. Split Assignments.

If the academic staff member has a split assignment, the unit in which the assignment is greatest shall have responsibility for initiating the evaluation and renewal action. All other supervisors shall be afforded an opportunity to append comments or recommendations to that paperwork, before it is sent to the next level of review.
For appointments involving individuals with split appointments in instructional academic staff areas, the Associate Vice Chancellor for Academic Affairs will decide which unit shall originate the recommendation; for all other academic staff with split appointments, the decision will be made by the Director of Human Resources after consultation with the appropriate Vice Chancellors.

ACS 7.6. Notice of Renewal.

Renewal letters from the Chancellor or designee shall indicate the type and duration of the appointment.

ACS 7.7. Notice of Nonrenewal.

Individuals holding a renewable fixed-term academic staff appointment shall be given advance notice in writing of nonrenewal. Nonrenewal is not a dismissal under UWS 11. See Chapter 8 for more information.

Academic Staff Personnel Rules
Chapter Eight – Appeal of Nonrenewal

ACS 8.1. Nonrenewal Rights

(1) All academic staff members are eligible:

(a) to request and receive the reasons for the nonrenewal; and/or

(b) to request and receive reconsideration of the renewal decision.

(2) Those academic staff members in at least the fifth year of service are also eligible to appeal the decision under procedures described in this section.

ACS 8.2. Reasons.

Within 14 calendar days of receipt of the nonrenewal notice, the academic staff member may request, in writing, reasons for nonrenewal from the Chancellor or designee. The Chancellor or designee shall respond in writing within 14 calendar days of the request. The reasons shall then become part of the academic staff member's personnel file. The reasons are a matter of management judgment. The Chancellor or designee bears no burden of proof of evidentiary support for these reasons.

ACS 8.3. Reconsideration.

Within 21 calendar days of the receipt of notice of nonrenewal or within 14 calendar days of receipt of reasons from the Chancellor or designee (if requested) the non-renewed academic staff member may file a written request for reconsideration of the decision to be accomplished through an informal conference with the supervisor who first recommended nonrenewal. The request should be filed with the supervisor, with a copy provided to the Chancellor or designee. Additionally, if the academic staff member previously requested the reasons for the nonrenewal decision from the Chancellor or designee, the request for reconsideration shall also include a written response to the reasons supplied by the Chancellor or designee.

(1) The supervisor who first recommended nonrenewal shall notify the academic staff member in writing of the reconsideration meeting at least five calendar days prior to the reconsideration meeting.

(2) The reconsideration meeting shall be an informal discussion to review the original nonrenewal decision and to consider whether there is any basis for a change in this decision. During the course of this meeting, and any subsequent appeal, the individual requesting the review shall be afforded the opportunity to be advised by another party.

(3) The supervisor shall prepare a written summary of the reconsideration meeting along with his/her recommendation to the next level of review within 21 calendar days of request for the meeting, unless there is mutual agreement to extend this period. This report shall be simultaneously sent to the academic staff member and to the next level of review. Levels of review follow lines of reportage.

(a) If the supervisor recommends rescission of the nonrenewal, that recommendation shall be presented to the next reviewing level along with a copy of the report from the reconsideration meeting. In this instance, the supervisor receiving that report will then hold a reconsideration meeting with the academic staff member, following the same time schedule and procedure as outlined above. Levels of review follow lines of reportage.

(b) There are two possible outcomes of the reconsideration process:

1. Rescission of the Decision: if the Chancellor or designee concurs with a unanimous recommendation to rescind the nonrenewal (from all levels or review); or

2. Affirmation of the Nonrenewal: if any reviewing level affirms the original nonrenewal decision and the Chancellor or designee does not choose to review.

(c) Summaries from all supervisors shall be sent to the Chancellor or designee, who shall maintain the official file during the pendency of the review, until it is transferred to the Human Resources Office for final storage.

ACS 8.4. Appeal Procedures.

The appeal procedures provide an opportunity for an academic staff member with a fixed-term appointment in at least the fifth year of service, to have a nonrenewal decision reviewed by an academic staff hearing committee. If the results of the reconsideration meeting are not satisfactory to the concerned academic staff member the following apply.

(1) The academic staff member may appeal the decision within 21 calendar days from the date any reviewing level involved in the reconsideration meeting reaffirms in writing the original nonrenewal decision.

(2) The request must be in writing and filed with the Chancellor or designee.

(3) The burden of persuasion in such a review shall be on the non-renewed person.

(4) The scope of the review (as well as the evidence to be presented and considered) 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:

(a) Conduct, expressions, or beliefs which are Constitutionally protected, or actions which are consistent with an appropriate professional code of ethics;

(b) Employment practices proscribed by applicable state or federal law; or

(c) Improper consideration of qualifications for reappointment or renewal. For purposes of this section, "improper consideration" shall be deemed to have been given to the qualifications of a staff member in question if material prejudice resulted because of any of the following:

1. The procedures required by the Chancellor or Board of Regents were not followed; or

2. Available data bearing materially on the quality of performance were not considered; or

3. Unfounded, arbitrary, or irrelevant assumptions of fact were made about work or conduct.

(5) The request must identify the exact basis for appeal from the list found above and must also include a response to the reasons for nonrenewal given by the Chancellor if they have been requested and received.

(6) Within 14 calendar days the Chancellor or designee shall forward the request for review, as well as any documents generated concerning the appellant under ACS 8.1-8.4, to the President of the Senate of Academic Staff. From there the appeal is sent, copying the parties involved, to an academic staff hearing committee (formed under Gov. 4.3.C) within 14 calendar days. Any party wishing to refer materials to the Committee must do so within 10 business days after the President of the Senate of Academic Staff forwards the appeal to the Committee.

(7) The academic staff hearing committee shall conduct an initial review of the appeal, including any materials referred to the committee. On the basis of this initial review, the committee shall decide upon one of the following two courses of action.

(a) If the committee finds the appeal is without merit, using criteria presented above, the committee chairperson shall so inform the academic staff member in writing with copies provided to the President of the Senate of Academic Staff, each supervisor participating in the renewal/nonrenewal decision, the Associate Vice Chancellor for Academic Affairs, the Director of Human Resources, and the Chancellor or designee. Once this notice has been provided, the procedure shall end.

(b) If the committee finds that a hearing is warranted, the committee chairperson shall so inform the academic staff member in writing with copies provided to the President of the

Senate of Academic Staff, each supervisor participating in the renewal/nonrenewal decision, the Associate Vice Chancellor, the Director of Human Resources, and the Chancellor or designee.

1. The hearing shall begin no later than ten calendar days from the date of the committee's completion of the initial review of the appeal. This time limit may be extended by mutual consent of the parties or by order of the hearing committee.

2. The evidence presented at the hearing is limited to a review of the factors identified in the section above in subsections (4)(a) to (c), including sub-subsections 1 to 3}.

3. The committee will invite the individual presenting the appeal and the supervisor(s) to appear at the hearing. They will answer questions and present information relating to the nature of the nonrenewal review and the reasons for the recommendations or decision. The parties to the proceeding may also identify other individuals with information pertinent to the scope of the nonrenewal review.

4. At the conclusion of the hearing, the committee will deliberate on the appeal prior to making a recommendation that will include one of the following three options.

   a. Option One. A determination that the appeal is without merit and that it should be dismissed from further consideration on the basis of that finding. The committee will forward this recommendation to the Chancellor or designee.

   b. Option Two. A determination that certain aspects of the review process were flawed and a recommendation for the process to be followed to address that deficiency. For example, the committee may remand the case for reconsideration, with specific instructions, to the supervisor or committee making the initial recommendation for nonrenewal.

      (i) The hearing committee shall retain jurisdiction during the period of any reconsideration.

      (ii) If the committee determines that such remand would serve no useful purpose, it may present the matter to the next level of review (which may include the Chancellor or designee) for further review as specified by the committee.

      (iii) If such remand results in a written recommendation to the hearing committee that the nonrenewal be rescinded, all information shall be remanded to the next level recommending nonrenewal via the academic staff hearing committee.

      (iv) This procedure will continue unless or until one level of review affirms the original decision. All parties are informed, and the process ends. The decision of the Chancellor or designeeI is final.

   c. Option Three. A determination that the nonrenewal be rescinded. In this instance, the committee shall file its report and recommendation with the Chancellor or designee. Once these materials are received, the Chancellor or designee shall review all documents and materials associated with the committee's action. At the conclusion of that review, which shall not exceed 14 calendar days after receipt of the committee's report, the Chancellor or designee shall inform all parties (academic staff member, supervisor, President of the Senate of Academic Staff, members of the hearing committee, Associate Vice Chancellor for Academic Affairs and the Director of Human Resources.

   d. The University shall establish and maintain a file for all actions relating to the appeal. All appeals files shall be stored separately from the regular personnel files.

Academic Staff Personnel Rules
Chapter Nine - Career Progression

ACS 9.1. Instructional Academic Staff.

Instructional academic staff in the lecturer title may progress through a series of title prefixes based on the degree of involvement in course and curriculum development, course scheduling, advising and subject matter expertise. The following prefixes are available and may be applied for through the Academic Staff Title Change Request procedure described in Chapter 10.

(1) Associate. An Associate Lecturer is one who independently teaches one or more courses subject to broad guidelines describing the scope of the subject matter to be taught and the topics to be covered. Effective classroom delivery, testing and grading are the primary duties expected of lecturers at this level. In practice at UW Oshkosh, the Associate prefix is used primarily for individuals with bachelor's degrees.

(2) No Prefix. A Lecturer at this level has the experience and academic qualifications needed to develop and teach one or more courses subject to broad guidelines describing the scope of the subject matter to be covered. However, the specific topics to be covered are left to the independent judgement of the Lecturer. At this level, a Lecturer may be involved in various instruction related activities. These may include undergraduate advising, assisting in developing lab safety protocols, course scheduling, curriculum development, participating in departmental outreach programs or other instructional activities. In practice at UW Oshkosh, Lecturer is used primarily for individuals with master's and Ph.D. degrees.

(3) Senior. A Senior Lecturer has extensive teaching experience and subject matter expertise in an academic discipline. A lecturer at this level has gained a reputation among his or her peers for demonstrably sustained superior contributions to teaching within a department or division. At this level, the academic staff member is expected to exercise independent selection, organization and development of course content, instructional materials, and instructional approaches. Involvement with committees engaged in supporting this development is typical. However, the direct delivery of instruction is the primary responsibility of individuals holding this title. In practice at UW Oshkosh, "extensive teaching experience" is interpreted in this context as at least five continuous years of full time teaching or at least seven continuous years of part time teaching (continuous, in this case refers to sequential service regardless of the type of contract).

(4) Clinical Appointments – College of Nursing

(a) Clinical Instructor. A clinical instructor is one who instructs students in a clinical setting within guidelines from a mentor or area facilitator. In practice at UW Oshkosh, this title is used by instructional academic staff in nursing with a master’s degree and one year of clinical practice within the past three years in the area of assigned teaching.

(b) Clinical Assistant Professor. A clinical assistant professor independently selects, organizes and develops course content and instructional materials. In practice at UW Oshkosh, this title is used by instructional academic staff with a master’s degree and an advanced practice certification of specialty practice, or formal study beyond a master’s in nursing. The title also requires a minimum of three years of clinical practice in the area of assigned teaching and one year of full-time college teaching.

(c) Clinical Associate Professor. A clinical associate professor is one who can demonstrate evidence of outstanding contributions to teaching, clinical practice, and services, including recognition by others in the profession for demonstrably sustained superior contributions. In practice at UW Oshkosh, this title is used by instructional academic staff with a doctorate in nursing or related field, a minimum of five years full-time teaching, and five years clinical practice in the area of clinical specialty.

ACS 9.2. Professional/Administrative Academic Staff.

Career progression may occur through advancement to a higher level within one's current title series reflecting progressively greater required experience, professional expertise and knowledge applied to duties of greater scope and/or complexity. Additionally, career progression may occur through placement in a different title series due to (1) more extensive responsibilities; (2) greater levels of supervisory budgeting and decision-making control and impact; or (3) a lateral move to enhance career advancement opportunities. Career progression must be applied for through the Academic Staff Title Change Request procedure described in Chapter 10.

Career progression within a title series varies for each series as follows.

(1) Professional Titles Series**.** The three prefix levels reflect successively greater experience, expertise and applied ability in a particular specialty area. As described below, these three prefix levels constitute a "natural career progression" track through which professional academic staff might be expected to progress in the area of specialty.

(a) Associate. At this level, a professional is expected to perform at the entry level of proficiency. This includes performing all or any of the basic duties and functions as defined for the specialty or by the level of certification or licensure.

(b) No Prefix. An individual at this level performs those duties and responsibilities expected of a fully competent professional. Typically, such duties and responsibilities require knowledge and skills gained only through considerable experience. A fully competent professional works independently in applying the approaches, methods and techniques of his or her profession and is active in developing or assisting in the development of new approaches to resolving problems. An employee shall be eligible for promotion from an "associate" to a "no prefix" title upon completion of at least two years experience in the position with satisfactory performance evaluations each year.

(c) Senior. A professional at the Senior level performs program functions at a level of proficiency typically requiring extensive experience and advanced knowledge and skills. At this level, the professional has a consistent record of exemplary performance. A Senior professional is expected to develop new approaches, methods or techniques to resolve problems with little or no expert guidance and to cope independently with new, unexpected or complex situations. At this level, a professional can be expected to guide or train other professionals or to oversee their work. An employee shall be eligible for consideration for promotion from a "no prefix" title to a "senior" designation upon completion of six years experience in the position at the "no prefix" level with a record of performance justifying promotion to the senior title.

(2) Program Manager Series. The three levels, listed below, reflect differences in experience and knowledge gained by a Program Manager as a program grows and develops, differences in the complexity of a program, and differences in the degree of supervision that may be required to manage programs of different sizes and complexity.

(a) Program Manager I. This level applies to a Program Manager who is managing a small program which may require the supervision of up to two persons. In general, the duties of the Program Manager I are well defined and not readily expanding. Ongoing maintenance of a level of service or product delivery rather than program development and growth is the primary objective of the incumbent.

(b) Program Manager II. This level applies to a Program manager who is managing a medium-sized program. In general the duties are less well defined and maybe expanding.

(c) Program Manager III. This level applies to a Program Manager who has the knowledge and experience to manage a large, complex program or several smaller programs. At this level, program management may entail supervision of as many as five or more staff as well as significant budgetary control responsibilities. A program undergoing rapid growth or expansion may require a Program Manager III to handle that growth in a planned manner.

(3) Director Series. The three prefix levels, noted below, reflect the scope of the position as well as the hierarchical organization structure of units and institutions in which their functions are

performed. These levels of Administration are defined for the institutions in the UW System and are determined by the nature of the work performed.

(a) Assistant Director. An Assistant Director manages a subunit of a major department and reports to a Director or Associate Director. At the Assistant level, a Director supervises three or more staff members (excluding the program assistant or secretary personnel assigned to work closely with the Assistant Director), develops and recommends an annual unit budget and develops or assists in developing and recommending policy to the director. An Assistant director is responsible for the day-to-day administrative management and policy implementation activities of an administrative unit. The role of an Assistant Director is primarily supervisory and managerial as contrasted with a Program Manager whose primary responsibility is direct service delivery and whose job is largely non-supervisory.

(b) Associate Director. An Associate Director is defined as a deputy director who assists in directing the administrative and policy development and implementation endeavors of a major administrative unit under the general supervision of the Director. An Associate Director acts on behalf of a Director on an on-going basis as well as in the Director's absence. There is typically no more than one Associate Director per unit. An Associate Director title is typically defined in units of sufficient size and scope of responsibility such that secondary decision making must be shared with or allocated to an Associate Director.

(c) No Prefix Director. A Director with no prefix directs all the administrative, policy development and implementation endeavors of a major administrative unit.

ACS 9.3. Salary Adjustment.

When an employee is promoted within the same title series or advanced to a position of greater responsibility in a different title series, a salary increase shall occur. The salary increase shall be no less than the greater of: (1) the minimum of the salary range for the new title, or (2) five percent (5%) greater than the current salary.

ACS 9.4. Procedures for Promotion.

An employee who has met the eligibility criteria for a promotion may request a promotion by following the established procedures for requesting a change in academic staff title (see Chapter 10).

Academic Staff Personnel Rules
Chapter Ten - Change of Title

ACS 10.0. Introduction.

An academic staff member or his/her supervisor may request a change in title if the assigned title does not adequately describe the job's function or if the scope measure assigned to the title is incorrect. The procedures for requesting a change of an academic staff title apply only to the assignment of an existing title of a position for which the University has authority, and it must comport well with the UW System Titling Structure.

ACS 10.1. Procedure.

(1) A change in title will usually be considered at the time of the regular performance review.

(2) The request for a title change must be submitted in writing to the supervisor or, for instructional academic staff, to the department chair and/or departmental personnel committee and subsequently to the Dean (hereafter, the term "supervisor" applies to each of these). With the exception of academic staff in the professional title series, the staff member and the appropriate supervisor must review and complete the Position Questionnaire mentioned below. The request shall include the following information: (1) a completed Position Questionnaire (if required), (2) present title, salary grade, salary, job description, and length of service in present title; (3) proposed title, salary grade, salary, and job description (if appropriate). Additional information in support of the proposed new title should also be included. Please note that the salary increase for the new title shall be no less than the greater of: (1) the minimum of the salary range for the new title, or (2) five percent (5%) greater than the current salary. When the request for a change in title is based on scope, it shall include comparison of similar programs on other campuses by number of students served, staff size, number of programs within the unit, level of reportage, unit budget and/or any other measure which may be appropriate.

(3) The supervisor shall consult with the Director of Equity and Affirmative Action, the Director of Human Resources and the Associate Vice Chancellor for Academic Affairs, as appropriate, and request their respective written objective assessments of the request. Their written objective assessments shall become part of the record.

(4) The supervisor shall forward the title change request, along with a written recommendation and stated reasons for that recommendation, to the next level of review (whether Dean or equivalent) with the written materials - including stated reasons for or against a title change – are ultimately being sent to the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments). For professional-administrative positions outside the Division of Administrative Services, the Vice Chancellor of Administrative Services will consult with the Vice Chancellor of the division in question..

(5) After receiving the request and recommendation, the appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments]eshall review the materials, make a decision for or against a title change, and send a written notice, which includes a copy of all materials pertaining to the request to all parties concerned of his/her decision and the reasons for that decision. Notification shall also be sent to the Chancellor or designee and to the chair of the Academic Staff Titling Committee. The Academic Staff Titling Committee shall be kept informed of decisions related to title changes in order for the members to ensure internal equity (unit- or campus-wide) and the application of consistent principles when acting on a request for a review of a denied title change request.

(6) If the decision of the appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments]is to deny the request for ti-

tle change, the academic staff member may request reconsideration from each level of supervision that provided a negative recommendation/decision. If reconsideration of the decision does not provide a satisfactory resolution, the individual may request the Academic Staff Titling Committee to review these issues after the completion of the reconsideration process.

(a) **Reconsideration.** The request for reconsideration should be directed to the first level of supervision that made a negative recommendation to the title change. [Note: This does not include the objective assessments that are required from the Director of Equity and Affirmative Action, the Director of Human Resources, and the Associate Vice Chancellor.]

1. The request for reconsideration must be made within seven calendar days of receiving the negative decision from the appropriate Vice Chancellor.

2. Reconsideration must include a face-to-face meeting between the supervisor and the academic staff member to be held within seven calendar days of filing the reconsideration request, or at a mutually agreeable date. The purpose of this meeting is to review the staff member's basis for requesting the title change as well as to provide any new information and to review the supervisor's rationale for his/her recommendation. [Note: This procedure must be followed for each supervisory level that made a negative recommendation/decision.]

ACS 10.2. Review by Committee.

If the academic staff member wishes to have the Academic Staff Titling Committee review the decision by the appropriate Vice Chancellor[i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments]the request must be filed with the Titling Committee chair within 21 calendar days following reconsideration (that is, after receiving the written decision).

(1) The request for review must state the specific aspect of the title that is disputed and the specific bases for requesting Committee review.

(2) The request must include a copy of all material that is part of the title change request including: material submitted to support the title change request; objective assessments from the Director of Equity and Affirmative Action and the Associate Vice Chancellor for Academic Affairs; recommendations and documentation, if any, provided by each level of supervisory review either in the initial review or as a result of reconsideration; and the written decision and rationale pertaining to the decision under review.

ACS 10.3. Academic Staff Titling Committee.

The Chancellor has designated an Academic Staff Titling Committee comprised of the following to carry out this function: one designee from the Chancellor, one designee from the appropriate Vice Chancellor, and one designee selected by the President of the Senate of Academic Staff, who shall also serve as liaison with the Senate of Academic Staff.

(1) The function of the Academic Staff Titling Committee is to advise the Associate Vice Chancellor for Academic Affairs on any matters having to do with implementing the UW System Titling Structure, as well as to make recommendations in response to a reconsideration request to the denial of a requested title change.

(2) In considering the appropriateness of the requested title change, the Titling Committee shall ensure internal equity and application of consistent principles for the maintenance of the UW System Academic Staff Title and Compensation Plan at University of Wisconsin Oshkosh.

(3) The Academic Staff Titling Committee shall serve as the review committee. Any member from the same department or equivalent as an academic staff member requesting a review shall be ineligible to serve on the review committee. If the chair is ineligible or otherwise unable to serve, the remaining members of the Titling Committee shall elect one of its members to serve as chair.

(a) A majority of the membership of the review committee (not considering ineligible members) shall constitute a quorum and must be present for voting.

(b) Voting shall be limited to Titling Committee members who serve as members of the review committee.

(c) The Titling Committee shall, to the extent possible, schedule their meeting within 21 calendar days of receiving the request for review. If the meeting cannot be scheduled within this period, the chair and the academic staff member shall reach mutual agreement on the date for the meeting.

(d) The Titling Committee will base its recommendation only on the material that is submitted in conjunction with the request for review. That is, it will consider only the written record that is part of the initial title change request plus, if applicable, the written record associated with any reconsideration request. The Titling Committee will not seek or hear oral testimony from the academic staff member who has requested the review or from anyone else.

(e) Meetings of the Titling Committee shall be open or closed in accord with the Wisconsin Open Meeting Law.

(f) Decisions by the Titling Committee will result in a recommendation to the Chancellor. The Titling Committee has 14 calendar days after the meeting to make a decision and forward a written recommendation and supporting rationale to the Chancellor or designee. Copies of the recommendation and supporting rationale of the Titling Committee sent to the Chancellor also shall be sent to the academic staff member, the supervisor(s), the Assistant/Associate Vice Chancellor (or equivalent).

(g) The Chancellor or designee shall render a final decision on the requested title change within 21 calendar days after receiving the recommendation from the Titling Committee.

(h) The Chancellor or designee shall notify all concerned parties of his/her decision in writing. The decision shall be final.

(i) At the conclusion of the review meeting, the chair of the review committee shall transfer all records, meeting minutes and related documentation to the Associate Vice Chancellor for Academic Affairs, who shall retain these documents for seven (7) years after the date of the final decision.

Academic Staff Personnel Rules
Chapter Eleven - Distinguished Prefix

ACS 11.0. Introduction.

The University of Wisconsin System has determined that the Distinguished prefix is not part of a natural career progression track and is not intended to be the final stage of progression for all academic staff in the professional title series.

ACS 11.1. Definitions.

A professional at the distinguished level performs at a level of proficiency typically requiring extensive experience and advanced knowledge and skills. The expertise of a professional at this level is commonly recognized by his or her peers through a reputation that extends beyond his or her work unit. A distinguished professional is expected to develop new approaches, methods or techniques to resolve problems with little or no expert guidance and to cope independently with new, unexpected or complex situations. At this level, a professional can be expected to guide or train other professionals or to oversee their work.

(1) Colleague. Academic staff and faculty at University of Wisconsin Oshkosh can be considered colleagues but **not** peers for this purpose.

(2) Consistently. In a regular, expected and customary manner, over a period of time.

(3) Extensive Experience. At least 10 years of progressively responsible experience in a particular field.

(4) Peer. Individual in the same profession, outside of University of Wisconsin Oshkosh and preferably, outside the UW System.

(5) Widespread Peer Recognition. A reputation of excellence in a profession, recognized by individuals or groups in the same profession, from a variety of institutions and/or organizations outside of UW Oshkosh and preferably, outside of the UW System.

(6) Extraordinary achievements. Recognition by peers in the same field or exceptional performance as an **expert** in relation to current developments and/or problem solving in that field.

(7) Work Unit. The University of Wisconsin Oshkosh is the work unit. Departments, schools and/or colleges within the institution are not considered work units for this purpose.

ACS 11.2. Professional Series.

For an academic staff member in the professional series to be recognized as Distinguished, the individual will have consistently performed at an exceptional level. The professional's extraordinary achievements are recognized by peers, possibly nationally or internationally, but certainly beyond the UW Oshkosh. Typically, this recognition by peers and the related accomplishments take place beyond the normal collegial relationships. Superior attainments will have been demonstrated through, for example, special honors and recognition. The accomplishments of the individual have been and continue to be made over and **above normal job responsibilities**, outside of UW Oshkosh and over a significant period of time. Seniority or longevity alone is not sufficient for award of the Distinguished designation.

ACS 11.3. Documentation Required.

To be considered for review for the Distinguished level, professionals must submit:

(1) Current resume;

(2) Job description;

(3) Annual evaluations;

(4) Specific documentation as evidence of exceptional competence and achievement in the occupational area.

The documentation submitted must support **each** of the four parts of the distinguished definition. This documentation will be reviewed following the processes that are followed for a change in academic staff title. The final decision for the use of the distinguished prefix will be made by the Chancellor.

The **bold statements** listed below are the guidelines of expected performance as specified by the UW System.

The examples which follow in regular type, are suggestions of the type of acceptable documentation which could be submitted as evidence of meeting the definition of distinguished.

Required Documentation:

(1) A professional at the distinguished level performs at a level of proficiency typically requiring extensive experience and advanced knowledge and skills.

(a) **10 or more years of progressively responsible experience in their field**.

Written description documenting the extent to which responsibilities have increased whether or not the job title and/or the job description has remained the same. For example:

List of positions held, inclusive dates, and a description of position responsibilities, if position title is not reflective of those duties.

(b) **Possess advanced knowledge and skills in their occupational area**.

Written description of the advanced knowledge and skills the individual possesses over and above that required for the position. For example: (1) Certification or licenses held; (2) Documentation of continuing education opportunities; including special institutes, symposiums, and conference participation; and (3) Evidence of advanced or terminal degree including date the degree was received, name of the degree and name of the granting institution.

(2) The expertise of a professional at this level is commonly recognized by his or her peers and through a reputation which extends beyond his or her work unit.

(a) **Widespread peer recognition**. Letters of support from at least three and no more than six peers who could speak to the expertise of the person.

(b) **Awards from peer organizations which recognize significant contributions to the field**. List of awards received including the date, name of the awarding organization, nature of the award.

(c) **Service and leadership to professional peer organizations**. Documentation of participation as an officer, on committees and/or in activities including dates of this participation.

(d) **Consultation for peer organizations and agencies**. List of consultations completed including date, name of organization and nature of the activity.

(e) **Expert advice and/or testimony**. Evidence that the individual served as a resource for solving complex issues or problems including date, nature of the issue or problem and for whom it was rendered.

(3) A distinguished professional is expected to develop new approaches, methods or techniques to resolve problems with little or no expert guidance and to cope independently with new, unexpected or complex situations.

(a) **Development of a new approach, method or technique**. Written description of the approach, method or technique developed and documentation of acceptance by one's peers. Evidence of patent or copyright ownership including a description of what was developed, either alone or as the major investigator.

(b) **Presentations and/or publications which describe new methods, techniques or alternatives to current approaches within a field**. List of presentations made including date, title of the presentation, audience and location. List of publications including date, title, and source.

(4) At this level, a professional can be expected to guide or train other professionals or to oversee their work.

(a) **Educational and/or training programs for organizations and institutions external to the work unit**. List of workshops, training programs, and courses focusing on advanced techniques or methods.

(b) **Professional shares expertise, guides, trains and/or oversees the work of others, even the most senior staff**. Description of how expertise was shared, through the guidance, training, and/or supervision of others including description, dates and the professionals involved.

Academic Staff Personnel Rules
Chapter Twelve - Salary Equity

Revisions to ACS 12 approved October 14, 2011.

Academic Staff Personnel Rules
Chapter Thirteen - Awards

ACS 13.0. **Outstanding Service Award.**

The Outstanding Service Award the University of Wisconsin Oshkosh recognizes the contributions of professional/administrative academic staff and non-teaching faculty to the University. The award emphasizes the importance of services to students and services affecting the academic environment, the administration, and the reputation of the University.

ACS 13.1. Eligibility.

Current professional/administrative academic staff and non-teaching faculty in academic staff positions who have a contract longer than one-semester-only and who are at least .50 FTE are eligible for the award.

ACS 13.2. **Criteria.**

Nominees must demonstrate excellence in their current job in providing student and/or professional support services at the University of Wisconsin Oshkosh.

(1) Evidence of outstanding performance in the nominee's current position is the primary consideration for receiving the Outstanding Service Award. This primary area will constitute no less than 75 percent of a nominee's evaluation for this award.

(2) Evidence of outstanding service beyond the nominee's current position is of secondary consideration. Performance in the following areas will constitute no more than 25 percent of a nominee's award.

(a) **Service to the University.** Service (outside their job description) with university-wide impact such as serving on University-wide committees, inter-departmental committees, focus groups, task forces, etc.;

(b) **Service to the nominee's profession.** Service on professional committees, speaking engagements, publications, or participation in professional development activities that advance the nominee's profession and enhance the nominee's performance in his or her role at the University; or

(c) **Service to the greater community.** Service as a representative of UW Oshkosh that enhances or promotes the University's mission, vision, or strategic goals and directions.

ACS 13.3. Selection Process.

The selection process includes the following activities:

(1) Selection Committee**.** An Outstanding Service Award Committee will be appointed by the Senate of Academic Staff. It will consist of no fewer than five academic staff or faculty in academic staff positions who are at least .50 FTE and whose contracts are longer than one-semester only. The length of terms will be staggered to assure continuity. The committee will elect its own chairperson.

(2) Nominations. In February of each year, nominations for the Outstanding Service Award will be solicited. All University personnel and students are eligible to submit nominations.

(3) Procedure.

(a) A listing of individuals who are eligible to receive the award will be provided to the committee by the office of the Provost and Vice Chancellor of Academic Affairs.

(b) The committee will send out a call for nominations by the first week of February.

(c) Nominations of eligible individuals will be received by the Outstanding Service Award Committee by March 1.

(d) The committee will ask for documentation from each nominee to be received by April 1.

(e) The committee will draw up a list of no more than four and no fewer than two individuals it recommends for receipt of the award. This list should not be ranked.

(f) The committee's list and statements of recommendation will be forwarded by May 1 to the Chancellor or designee, who will select the recipient(s) of the award. If the Chancellor or designee needs additional information, clarification, or advice, he/she will request a meeting with the committee.

(4) Presentation. The Outstanding Service Award will be presented in the fall during the University's opening day assembly for faculty and academic staff.

ACS 13.4. Academic Staff Regents Award for Excellence.

With the Academic Staff Regents Awards for Excellence, the UW Board of Regents recognizes the dedication, excellence of performance, personal interaction, initiative and creativity, and outstanding achievement of administrative and professional (non-instructional) academic staff. The purpose, eligibility requirements and criteria for selection and nomination are outlined by the Board of Regents. The selection process at UW Oshkosh precedes the selection process for the Outstanding Service Award and includes the following activities.

(1) Selection Committee**.** The selection committee appointed by the Senate of Academic Staff for the Outstanding Service Award will serve as the selection committee for the Academic Staff Regents Awards for Excellence.

(2) Nominations. In November of each year, nominations for the Academic Staff Regents Awards for Excellence will be solicited.

(3) Procedure.

(a) A listing of individuals who are eligible to receive the award will be provided to the committee by the office of the Provost and Vice Chancellor for Academic Affairs.

(b) The committee will send out a call for nominations by the first week of November.

(c) Nominations of eligible individuals will be received by the Committee by December 6 and nominees will be notified of their nomination by December 13.

(d) The committee will ask for documentation from each nominee to be received by January 15.

(e) The committee will draw up a list of no more than four and no fewer than two individuals they recommend for receipt of the award. This list should not be ranked.

(f) The committee's list and statements of recommendation will be forwarded by January 27 to the Chancellor, who will select the UW Oshkosh nominee. If the Chancellor or designee needs additional information, clarification, or advice, he/she will request a meeting with the committee.

(g) The Chancellor or designee will submit a complete set of nomination materials for the UW Oshkosh nominee to UW System by sometime in early February. (See UW System guidelines for the exact date.)

ACS 13.5. Recognition of Employees for Length of Service.

UW Oshkosh recognizes employees for their length of service. Each spring, usually in April, employees are recognized for their years of service beginning with five years and continuing with subsequent five-year increments.

Academic Staff Personnel Rules
Chapter Fourteen - Layoff

ACS 14.0. Introduction.

In the following materials from UWS Chapter 12, references to indefinite appointments are applicable to fixed-term appointments.

ACS 14.1. Purpose.

Chapter UWS 12 {Layoff} of the Wisconsin Administrative Code, Rules of the Board of Regents details the procedure to follow in the event layoff becomes necessary at University of Wisconsin Oshkosh. It is presented here along with UW Oshkosh's campus-specific procedures. Chapter 12 sections are designated UWS 12#; Academic Staff Personnel Rules for Oshkosh are designated ACS 14#.

UWS 12.01 General.

Notwithstanding s. 36.15, Stats., and chs. UWS 10 and 11, the Chancellor of each institution 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. Consistent with the limitation of academic staff appointments to an operational area, each institution shall establish policies and procedures which will ensure careful consideration of layoff decisions for reasons of budget or program. The institutional policies and procedures should recognize the constraints imposed on institutional response to an unanticipated cancellation of a contract or grant or to an unanticipated decline in an income account supporting a particular activity. The institution should take such constraints into account in designing the nature and timing of the consultation appropriate to such circumstances. The institution's policies and procedures may provide as needed the alternative forms of consultation appropriate to differences in the sources of funds for various programs or activities, or differences in the timing of information concerning a decline in resources for particular programs or activities. 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, committees, or committee representatives as may be specified by institutional policies and procedures as appropriate for such purposes. 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 s. UWS 10.04, or a fixed-term appointment, even if for financial reasons, is not a layoff for reasons of program or budget.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

UWS 12.02 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 ss. UWS 12.07 through 12.11, inclusive. For the purposes of s. 36.21, Stats., termination occurs at the time of layoff.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

ACS 14.2. Consideration and Consultation Prior to Layoff Decisions.

(1) Prior to proceeding with a decision to lay off any academic staff member because of budget or program decisions requiring program discontinuance, curtailment, modification, or direction, the Chancellor or designee shall prepare an analysis of the conditions which necessitate such action. In preparing the analysis the Chancellor or designee will consult with groups or committees on campus as necessary.

(2) The Chancellor or designee, after such consultation, shall meet with the Senate of Academic Staff for discussion and advice. The Senate shall be provided with and consider information including:

(a) budget detail on proposed decisions showing the need to lay off a specific number of personnel;

(b) the criteria and/or rationale used in determining the operational unit(s) selected for reduction in positions; and

(c) the criteria to be applied within the operational area in determining the individual(s) who will be affected by the reduction.

(3) In the event that the Chancellor or designee proposes that less notice-time be given before the effective date of layoff than listed in section UWS 10.05, the Chancellor or designee shall provide the Senate with his/her compelling reasons.

UWS 12.03 Individual layoff decision.

When a reduction in program of a particular operational 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 dictate other considerations (e.g., the need to maintain specific expertise within the program or operational area). The standard notice periods specified in s. UWS 10.05 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 12 months' notice of layoff for reasons of budget or program, unless there are compelling reasons to the contrary.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

ACS 14.3. Seniority as Applied to Layoff.

Seniority shall be determined by the number of years of continuous service at University of Wisconsin Oshkosh. If no breaks in service have occurred, time served as a faculty member shall count toward seniority, as shall time served in a limited appointment if the staff member had an academic staff or faculty appointment prior to accepting the limited appointment. Leaves of absence shall count toward seniority.

(1) If it is determined that layoff is necessary in an operational area, the least senior member shall be laid off first. In the event two or more members of an operational area have the same seniority, the date the original contract was signed by the employee shall be used to determine seniority. The presumption in favor of seniority shall not operate where:

(a) program needs dictate other considerations such as the need to maintain specific expertise, responsibility levels or productivity levels within a program or operational area; or

(b) the strict application of seniority would upset the implementation of affirmative action within the program or operational area.

UWS 12.04 Hearing body.

The Chancellor of each institution shall provide for a hearing body for the purposes of this chapter. Throughout this chapter the term "hearing body" is used to indicate either a hearing committee or a hearing examiner as designated in the institutional procedures. This hearing body shall operate as the hearing agent for the Chancellor pursuant to s. 227.12, 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.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

UWS 12.05 Review and hearing for indefinite appointments.

(1) An academic staff member with an indefinite appointment whose position is to be eliminated shall be notified in writing and shall, upon request made within 20 days after such notification, be given a written statement of the reasons for the decision within 15 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 20 days after receipt of said statement, he or she shall be entitled to a hearing before the hearing body. However, such a request for hearing shall not forestall a layoff under this section.

(a) The request for hearing shall specify the grounds to be used in establishing the impropriety of the decision.

(b) The staff member shall be given at least 10 days notice of such hearing. Such hearing shall be held not later than 20 days after the request except that this time limit may be extended by order of the hearing body. Anyone who participated in the decision to layoff or who is a material witness shall not serve on the hearing body.

(2) The academic staff member shall have access to the evidence on which the administration intends to rely to support the decision to layoff and shall be guaranteed the following minimal procedural safeguards at the hearing:

(a) A right to be heard in his or her defense;

(b) A right to counsel and/or other representatives, and to offer witnesses;

(c) A right to confront and cross-examine adverse witnesses;

(d) A verbatim record of all hearings, which might be a sound recording, provided at no cost;

(e) Written findings of fact and decision based on the hearing record;

(f) Admissibility of evidence governed by s. 227.10, Stats.;

(g) 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 s. 66.77, Stats., Open Meeting Law);

(h) Adjournments shall be granted to enable either party to investigate evidence as to which a valid claim of surprise is made.

(3) If the institutional policies and procedures provide that the review and hearing be conducted by a committee, the following requirements shall be observed:

(a) The committee may, on motion of either party, disqualify any one of its members for cause by a majority vote. If one or more of the committee members disqualify themselves or are disqualified, the remaining members may select a number of other replacements equal to the number who have been disqualified to serve;

(b) If the committee requests, the Chancellor or designee shall provide legal counsel after consulting with the committee concerning its wishes in this regard. 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 within the policies and procedures adopted by the institution.

(4) 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:

(a) 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;

(b) Employment practices prescribed by applicable state or federal law; or

(c) 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:

1. The procedures required by the Chancellor or board were not followed;

2. Available data bearing materially on the quality of the staff member's actual or potential performance were not considered; or

3. Unfounded, arbitrary, or irrelevant assumptions of fact were made about work or conduct.

(5) 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 establishes 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.

(6) 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:

(a) 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;

(b) 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 1) that there was a bona fide program or budgetary reason(s), and that the determination of such reason(s) was made in the manner prescribed by, and in accordance with, the standards established by the institution; and 2) that the decision to layoff the particular academic staff member was in accordance with the provisions of s. UWS 12.02.

(7) 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.

(8) If the hearing body finds that the layoff was improper, it shall report this decision and its recommendation to the Chancellor or designee and to the staff member. The Chancellor or designee shall review the matter, decide whether the staff member should be laid off, and notify the hearing body and academic staff member of the decision. This decision shall be deemed final unless the board, upon request of the academic staff member, grants review based on the record.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

UWS 12.06 Review for fixed-term and probationary academic staff members.

Each institution shall establish procedures for an impartial review of the layoffs for reasons of budget or program of academic staff members with fixed-term and probationary appointments. Nonrenewal is not a layoff under this section.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

ACS 14.4. Hearing Body (Refer to UWS 12.04).

(1) Request for Reasons and Hearing. Under UWS 12.05, academic staff notified of layoff are entitled to reasons for the decision and a hearing, if requested within the time limit prescribed.

(a) Reasons shall be requested of and supplied by the Chancellor or designee.

(b) Requests for a hearing shall be sent to the Chancellor or designee, who shall inform the President of the Senate of Academic Staff, who shall form a hearing committee.

(c) The hearing committee shall follow the guidelines in GOV 4.3C as well as the guidelines in UWS 12.05. While 12.05 refers to indefinite appointments, those guidelines shall be used for all academic staff.

(2) Chancellor's Decision. Within 20 calendar days of receipt of materials from the academic staff hearing committee, the Chancellor or designee shall decide if the layoff should be rescinded or remain in effect. This decision shall be deemed final unless the Board of Regents, upon written request by the academic staff member, grants a review based on the record.

UWS 12.07 Layoff status.

(1) 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,

(a) For fixed-term and probationary appointee, one of the following occurs:

1. The appointment expires under its own terms;

2. The staff member fails to accept an alternate appointment.

(c) For academic staff on indefinite appointment one of the following occurs:

1. 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 institution;

2. The staff member accepts an alternative continuing position in the institution. Failure to accept an alternate appointment would not terminate the academic staff member's association with the institution;

3. The staff member resigns;

4. The staff member fails to notify the Chancellor or his/her designee not later than December 1, of each year while on layoff status, as to his/her location, employment status, and desire to remain on layoff status. Failure to provide such notice of desire to remain on layoff status shall terminate the academic staff member's association with the institution;

5. A period of 3 years lapses.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

UWS 12.08 Alternative employment.

Each institution 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.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

ACS 14.5. Alternate Employment.

(1) The University of Wisconsin Oshkosh shall make good-faith efforts to reassign or reemploy laid-off academic staff in another operational area within the University.

(2) If a position is open in an operational area different from the one in which an academic staff member was laid off, the appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments] is responsible for:

(a) notifying academic staff members on layoff of the opening and qualifications for the opening;

(b) reviewing credentials submitted by the academic staff member; and

(c) arranging for an interview if the academic staff member has an interest in the position and if the review of credentials warrants.

(3) The supervisor either shall provide reasons to the appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments]

why the individual does not qualify for the position or shall recommend the individual be offered the position. If the individual is offered the position, either:

(a) the layoff can be rescinded with the academic staff member retaining all rights acquired prior to layoff, including seniority, in the new position (time spent on layoff shall count as years of service); or

(b) the academic staff member may be offered a new fixed-term appointment in the new operational area with rights and privileges beginning with the effective date of the new appointment. Seniority starts accumulating on the effective date of the new appointment.

(4) The appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments] shall determine which option shall be offered the individual after consultation with the appropriate supervisors and/or the appropriate Vice Chancellor of the proposed alternate position.

UWS 12.09 Reappointment rights.

Each institution shall establish administrative procedures and policies to insure compliance with s. 36.21, Stats., in providing that where layoffs occur for reasons of budget or program, no person may be employed in that operational area at that institution within 3 years to perform reasonably comparable duties to those of the staff member laid off without first offering the laid off staff member on layoff status reappointment without loss of rights or status. In addition, an institution shall continue for 3 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 his/her designee by December 1 of each year, or more frequently if institutional policies and procedures require, as to his/her location, employment status, and desire to pursue reappointment rights. Failure to provide such notification shall terminate the academic staff member's reappointment rights under this section.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

ACS 14.6. Reappointment Rights of Academic Staff on Layoff.

(1) Reappointment rights shall continue for three years from date of layoff, even if the appointment expires during the three years or alternate employment is accepted, providing the academic staff member notifies the appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments] in writing by December 1 of each year of his/her location, employment status, and desire to pursue reappointment rights. Failure to provide such notification shall terminate the academic staff member's reappointment rights.

(2) In the event a position becomes available in an operational area where layoffs have occurred, all academic staff who had been laid off shall be informed of the opening and provided with a position description. Such information to be sent to their last known address.

(a) If an academic staff member on layoff is interested in the position, he/she shall so inform the the appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments] within the time period stipulated in the letter announcing the opening (a minimum of ten calendar days).

(b) The supervisor will then arrange for an interview with the academic staff member if review of credentials warrants it. If the job duties are reasonably comparable to those performed by the academic staff member prior to layoff, the job shall be offered to the laid-off staff member.

(3) In the event two or more laid-off academic staff members are involved, the decision on who shall be offered the position shall be based on seniority, with the most senior member offered the position first except when operational needs, including affirmative action, are such that a less senior person is preferred. Such needs must be documented to the satisfaction of the Chancellor or designee.

(4) If it is expected that the position will continue, the layoff will be rescinded. If it is expected that the position will not continue, this will be made clear when the job description is initially sent to the academic staff member and the position shall be offered for a fixed time period (normally one year).

(5) If an appointment has not expired under its own terms (see UWS 12.07 (1) (a) 1.), the time served in the appointment after layoff shall count toward completion of the time remaining on the existing contract. The time served after layoff shall count toward the three-year period of reappointment rights.

UWS 12.10 Retention of salary.

Any academic staff member reappointed within 3 years after layoff to reasonably comparable duties within the operational area 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 at that time.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

UWS 12.11 Rights of academic staff members on layoff.

An academic staff member on layoff status in accord with the provisions of this chapter has the reemployment rights guaranteed by s. UWS 12.09 or 12.10, and has the following minimal rights:

(1) Such voluntary participation in fringe benefit programs as is permitted by institutional policies;

(2) Such continued use of campus facilities as is allowed by policies and procedures established by the institution; and

(3) Such participation in institutional activities as is allowed by the policies and procedures established by the institution.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.

ACS 14.7. Rights of Academic Staff on Layoff.

(1) Academic staff on layoff may voluntarily participate in all fringe benefit programs at University of Wisconsin Oshkosh as permitted by state law.

(2) Academic staff on layoff who have faculty status will retain their governance rights after layoff, consistent with the Faculty Constitution.

(3) Academic staff on layoff will retain library and mail delivery privileges (through both University postal services and the individual's existing e-mail account at the time of layoff) while on layoff status.

(4) Academic staff on layoff may participate in institutional activities as allowed by established policies and procedures

Academic Staff Personnel Rules
Chapter Fifteen - Grievances

ACS 15.0. Grievances by Academic Staff.

A grievance in this section is a formal statement by an employee which alleges unfair treatment or dissatisfaction with aspects of working conditions within the University and which are outside his/her control. The term "grievance" is used in two senses here. It denotes first the distress or dissatisfaction caused by perceived unfair treatment or violation of rights or in general unsatisfactory working conditions. It also denotes a formal appeal for relief from such distress or dissatisfaction. A formal grievance cannot be a reaction to substantive academic judgments made in the course of evaluating academic staff for renewal, salary adjustments or other such personnel decisions. A grievance differs from a complaint in that it focuses upon the effects experienced by the grievant rather than upon the alleged misconduct of another. A grievance seeks relief for the grievant rather than punishment of another individual. The following chart summarizes these general conditions.

	Grievance	Complaint
Nature	alleges unfair treatment or dissatisfaction with aspects of working conditions	objection to perceived misconduct and seeks disciplinary action against another employee
Focus	relief	sanction; can lead to dismissal from employment for another employee
Rules	UW Oshkosh Academic Staff Personnel Rules Chapter 15	UW Oshkosh Academic Staff Personnel Rules Chapter 16

ACS 15.1. General Considerations.

If the grievance concerns any of the discrimination or harassment sections in GEN 1.2.(1) through (8), the grievance is made according to the process outlined in that section of this Handbook. Prior to filing a grievance, an academic staff member is encouraged to seek resolution with his/her immediate supervisor utilizing informal discussion, collegial interaction and existing structures to resolve conflicts and to remedy personal and professional concerns whenever possible. If the immediate supervisor is not a department head, he/she shall notify the department head of the grievance and ensuing discussions. When these do not provide a satisfactory resolution, the formal procedure below should be followed. The purpose of this procedure is to resolve conflicts arising from grievances from academic staff members under UWS 13.02, except that judgments relating to renewal shall not be grievable unless the academic staff member alleges that nonrenewal was based on federal and/or state-prohibited discrimination.

ACS 15.2. Grievance Procedures.

(1) If the academic staff member is not satisfied with the resolution of the problem after informal discussion and consultation, he/she may file a written grievance indicating the results of the informal discussion and consultation and containing the information required in the section below identifying the form of grievances.

(a) Grievances shall be filed in writing and shall contain the information identified below. In addition, grievants should submit documents and information which would support the grievance. They are encouraged to indicate the names of other persons who may be able to provide evidence related to the grievance, together with a general description of the evidence to be provided. All documents submitted in support of a grievance shall accompany the grievance through all steps of consideration.

1. Description of the specific act which resulted in the grievance, the date(s) upon which the act(s) took place, and the names of persons involved.

2. A listing of the specific rights of the academic staff member which are alleged to have been violated, or the nature of the alleged unfair treatment.

3. Evidence to support the grievance. Such evidence may include materials predating the action leading to the grievance.

4. Desired outcome.

(b) If two or more academic staff members have a grievance with identical specifications, the grievances may be filed jointly.

(c) Grievances must be filed within 60 calendar days of the date when the grievant first knew or should have known of the action taken which led to the grievance, unless the time of filing is extended by mutual agreement of the academic staff member and Chancellor or designee because extenuating circumstances exist as determined by the Chancellor or designee.

(d) The grievance shall be filed with the appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments] (or with the Chancellor if the grievance is against an action of the Vice Chancellor or equivalent-level position).

(e) Within 14 calendar days after the receipt of the grievance, the individual receiving the grievance shall initiate an administrative review, including individual meetings with the grievant and other involved persons, and consideration of all relevant documents. For professional administrative positions outside the Division of Administrative Services, the Vice Chancellor for Administrative Services shall consult with the Vice Chancellor of the division(s) in question.

(f) The person conducting the administrative review shall prepare a formal, written response to each specification of the grievance and shall forward his/her findings together with copies of all documents considered (or a list of the documents) in the administrative review to the grievant, to all other interested or involved parties, to the Chancellor or designee and, for information only, to the President of the Senate of Academic Staff within 40 calendar days of initiating review, unless the time is extended by the Chancellor or designee.

(2) If the academic staff member is not satisfied with the resolution of the problem after administrative review, he/she may file a request for review by an academic staff hearing committee.

(a) This request must be filed with the President of the Senate of Academic Staff within 14 calendar days of receipt of the notification of the results of the administrative review.

(b) Following the procedures outlined in GOV 4.3.C., the president shall convene a committee which shall review the grievance on the record and determine within 14 calendar days whether a hearing is required. A hearing is necessary only when the committee believes that there is sufficient evidence to indicate the possibility that academic staff rights have been violated or that unfair treatment has been received.

(c) If no hearing is called, the hearing committee chairperson shall transmit his/her report, via the President of the Senate of Academic Staff, to the grievant, the appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments] , and, for information only, to the Chancellor.

(d) If a hearing is called, procedures outlined under GOV 4.3.C. shall apply. The hearing shall be completed within 40 calendar days after being called, unless extended by mutual agreement between the academic staff member and the chairperson of the committee.

(e) At the conclusion of the hearing, the committee shall transmit its findings and recommendations, via the President of the Senate of Academic Staff, to the grievant, appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instruc-

tional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments] and the Chancellor.

(3) The Chancellor or designee shall render a formal, written decision to the grievant and the individual who conducted the initial administrative review, and, for information only, to the President of the Senate of Academic Staff within 21 calendar days of receipt of the recommendation from the academic staff hearing committee. The decision shall be final.

Academic Staff Personnel Rules
Chapter Sixteen - Complaints

ACS 16.1. Complaints.

If the complaint concerns any of the discrimination or harassment sections in GEN 1.2(1) through (8), the complaint is made according to the process outlined in that section of this Handbook.

Pursuant to UWS 13.01, a complaint is an allegation concerning the conduct of an academic staff member which violates University rules or policies, or which adversely affects the staff member's performance or obligation to the University. The Chancellor or designee shall decide whether a complaint as filed is serious enough to warrant dismissal proceedings under chapters UWS 11 and Chapter 17 of these rules.

(1) A formal complaint seeks disciplinary action against another employee.

(2) A complaint may be brought against an academic staff member by supervisor(s), administrators, students, other academic staff, faculty, classified staff, or members of the public. Persons with a complaint are encouraged to utilize informal discussion, collegial interaction and existing structures to resolve conflicts and remedy personal and professional concerns whenever possible. Where these do not provide a satisfactory resolution, the following formal procedure provides a means by which a person may bring a complaint against the conduct of an academic staff member.

ACS 16.2. Form.

	Grievance	Complaint
Nature	alleges unfair treatment or dissatisfaction with aspects of working conditions	objection to perceived misconduct and seeks disciplinary action against another employee
Focus	relief	sanction; can lead to dismissal from employment for another employee
Rules	UW Oshkosh Academic Staff Personnel Rules Chapter 15	UW Oshkosh Academic Staff Personnel Rules Chapter 16

These rules refer to written complaints signed by the complainant. Oral or anonymous complaints are not considered. Complaints shall be given to the Chancellor or designee within 60 calendar days of the date on which the violation became known to the complainant and shall contain the following information:

(1) Description of the specific act(s) which resulted in the complaint, the date(s) when the act(s) took place, and the names of persons involved.

(2) A listing of the specific rules, policies or performance obligations alleged to have been violated, or the nature of the alleged misconduct.

(3) Evidence to support the complaint. Such evidence may include materials predating the action and leading to the complaint.

(4) Desired outcome.

ACS 16.3. Procedure.

The following procedure shall be used to review complaints.

(1) The Chancellor or designee shall forward the original copy of the complaint to the supervisor of the individual whose conduct is the subject of the complaint.

(2) Once a complaint has been received, the supervisor shall then make an initial determination regarding the seriousness of the alleged misconduct.

(3) Whenever the alleged misconduct could be serious enough for dismissal, or when the results of the initial review of the complaint allows a determination to be made that dismissal might possibly be warranted, the supervisor shall present a recommendation to the Chancellor or his/her designee who shall then determine whether the complaint shall be considered under Chapter 17 of the UW Oshkosh Academic Staff Personnel Rules. If the complaint is to be considered under Chapter 17, the Chancellor or designee shall notify the academic staff member that a complaint has been filed, and shall provide a copy of the complaint if requested.

(4) If the complaint is to be considered under the present chapter of the rules, the supervisor shall, at his/her discretion, informally and confidentially discuss the complaint with the staff member about whom the complaint has been made or with other persons who may be knowledgeable concerning the alleged misconduct.

(5) At the conclusion of these discussions, if no evidence of wrongdoing has been found, the complaint shall be dismissed and the complainant so notified. No record of it will be maintained in the staff member's personnel file.

(6) If evidence of wrongdoing is found, the Chancellor or designee shall initiate appropriate action within 14 calendar days of the receipt of the complaint and shall inform the complainant that appropriate action has been taken.

(7) If the complaint has not been dismissed or otherwise resolved within 14 calendar days of the receipt, the supervisor shall send a copy of the signed complaint to the academic staff member concerned. The Chancellor or his/her designee shall initiate a review. Within 14 calendar days of being notified, the Chancellor or designee shall meet as appropriate with the academic staff member, with the complainant, and with other persons if necessary, and shall begin the review of all relevant documents. Within 14 calendar days after the review is completed, the Chancellor or designee shall inform the academic staff member and complainant in writing of his/her action, which may include the following.

(a) Dismissal of the complaint. If the complaint is dismissed, the academic staff member shall not be subjected to further jeopardy for the alleged misconduct. No record of it will be maintained in the staff member's personnel file.

(b) Administrative invocation of an appropriate disciplinary action. If there is administrative disciplinary action, it may include but is not limited to sanctions such as:

1. Oral admonishment;
2. Written reprimand;
3. Requirement for restitution;
6. Suspension of specific privileges;
7. Reduction in salary; and
8. Suspension with or without pay for a specific period of time.

(c) Referral of the complaint to the Senate of Academic Staff for a hearing (see GOV 4.3.C.).

(d) Within 14 calendar days of receiving written notice from the Chancellor or designee of administrative invocation of disciplinary action, the academic staff member may file a request with the President of the Senate for review by a hearing committee, if such review has not already been held. Should such a review be requested, the implementation of the administrative sanction shall be stayed, pending final decision by the Chancellor or designee after receipt of the recommendation of the hearing committee.

(e) If the Chancellor or designee refers a complaint for hearing to the Senate of Academic Staff, or if the academic staff member requests such referral after administrative invocation of disciplinary action, the committee shall follow the procedures outlined under GOV 4.3.C. The hearing shall be completed within 40 calendar days, unless extended by mutual consent of the academic staff member and the hearing committee because extenuating circumstances exist.

(f) The findings and recommendations of the hearing committee shall be transmitted via the President of the Senate of Academic Staff to the academic staff member, the complainant, and the Chancellor. The hearing committee shall recommend to the Chancellor or designee:

1. dismissal of the complaint;
2. disciplinary action such as indicated above ; or
3. referral to an administrative officer for appropriate action.

(g) The Chancellor, or designee, shall render a formal, written decision to the academic staff member, the complainant, appropriate University officers and, for information only, to the President of the Senate of Academic Staff within 14 calendar days of receipt of the recommendation from the academic staff hearing committee. The decision shall be final.

Academic Staff Personnel Rules
Chapter Seventeen - Dismissal for Cause

ACS 17.0. Dismissal of Academic Staff for Cause.

Please note: Complaints against members of the academic staff are filed in accordance with Chapter 16 of these rules. The Chancellor or designee shall decide whether a complaint as filed is serious enough to warrant review and consideration under this Chapter.

ACS 17.1. Dismissal Procedure.

(1) Upon receiving allegations of misconduct, the Chancellor or designee may direct an appropriate University administrator (see UWS 11.02) to conduct an informal investigation of the allegations and shall provide information concerning rights to which members of the academic staff are entitled under this chapter. In this case the academic staff member shall be informed by the Chancellor or designee of the allegations and every effort shall be made to resolve the problem informally within a period not to exceed three weeks.

(2) During this period of informal investigation and discussion, the salary of the academic staff member shall not be reduced or discontinued, and duties of the academic staff member shall not be modified unless continuation could involve substantial harm to the University of Wisconsin Oshkosh.

(3) As a result of the informal investigation, the Chancellor or designee may decide that the charges should be dropped, or that the charges should be considered under the general complaint procedures found in Chapter 16 of these rules.

(4) Any formal statement of specific charges shall be served personally or by certified mail, return receipt requested. If such service cannot be made within 20 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 s. 262.06(1)(c), Stats., where 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. (UWS 11.02)

(5) When service as specified in UWS 11.02 above is known to be impossible (e.g. the academic staff member is out of the country), service as outlined above will be accompanied by an email message to the academic staff member's UW Oshkosh email address.

(6) If informal investigation and discussion do not resolve the matter and the allegation is deemed sufficient to warrant dismissal, the administrator conducting the informal review shall prepare a statement of specific charges and forward them to the Chancellor or designee, who shall notify the affected staff member immediately according to the procedures under UWS 11.02 (2). The academic staff member shall be given an opportunity for a hearing before the appropriate Vice Chancellor [i.e., the Provost and Vice Chancellor for Academic Affairs (for instructional academic staff appointments) or the Vice Chancellor for Administrative Services (for all other academic staff appointments] (or designee identified by the responsible office). If the appropriate Vice Chancellor is the immediate supervisor of the academic staff member concerned, the Chancellor or designee shall designate an alternative administrative officer to conduct the hearing in order to avoid a conflict or interest or the perception of impartiality or fairness. For professional administrative positions outside the Division of Administrative Services, the Vice Chancellor for Administrative Services shall consult with the Vice Chancellor of the division(s) in question.

(7) The academic staff member shall have 20 calendar days from the receipt of the specific charges to request a hearing before the administrative officer. The hearing, if requested, shall be completed within 20 calendar days after receipt of the request for a hearing, unless extended by mutual agreement or order of the administrator. If a hearing is not requested, dismissal is effected by the specifications in the original notification of charges from the Chancellor or designee.

(8) The hearing before the administrative officer shall give the academic staff member a formal opportunity to present evidence and argument concerning the allegations. The supervisors and others involved also may be asked to present evidence.

(9) After consultation with the Chancellor or designee, the administrative officer shall inform the academic staff member of the decision in writing. If the decision is to dismiss, the date of dismissal shall be effective immediately upon receipt of written notification of the decision, unless a different date is specified.

(10) An academic staff member may request in writing a hearing on dismissal charges within 20 calendar days if notice was delivered personally or by certified mail, or within 25 calendar days if notice was made by first class mail and publication (see also UWS 11.10). During the pendency of the appeal, the effective date of dismissal as stated in the immediately preceding sub-section remains in effect unless or until changed by the Chancellor or designee.

(a) The request for a hearing shall be made in writing to the Chancellor or designee, who shall inform the President of the Senate of Academic Staff.

(b) The President of the Senate shall form an academic staff hearing committee as described in GOV 4.3.C. The hearing shall commence not later than 20 calendar days after the academic staff member has made a request for the review. This time limit may be extended by mutual consent of the parties or by order of the academic staff hearing committee.

(c) The academic staff member shall be given notice in writing at least 14 calendar days before the hearing.

(d) In addition to UWS 11.05 and procedures found in UWS 11.06, the following shall apply to all dismissal proceedings.

1. The academic staff hearing committee may, with the consent of the Chancellor or designee and the academic staff member subject to dismissal proceedings, hold joint pre-hearing meetings with the parties in order to:

a. simplify the issues;

b. consider stipulations of fact;

c. provide for the exchange of documentary or other information; and

d. achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective and expeditious.

2. Admissibility of evidence is governed by section 227.45(1), Wis. Stats.

(e) The hearing shall be held according to the procedures set forth in sections UWS 11.05 and 11.06. The hearing committee may establish additional procedures to implement the provisions of sections UWS 11.05 and 11.06.

(f) The academic staff hearing committee shall send to the Chancellor or designee and to the academic staff member concerned, via the President of the Senate, a verbatim sound recording of the testimony and a copy of its report, findings and recommendations as soon as practicable (but within 20 calendar days) after conclusion of the hearing.

(g) The Chancellor or designee shall afford the academic staff member a chance to meet and discuss the materials prepared or considered in the context of the hearing within 21 calendar days after their receipt. The Chancellor or designee shall prepare a written decision within 40 calendar days after receiving the report from the Senate President. In that decision, the Chancellor or designee may:

1. order dismissal (specifying the effective date) of the academic staff member;

2. impose a lesser disciplinary action; or

3. find in favor of the academic staff member.

(h) This decision shall be deemed final unless the Board of Regents, upon request of the academic staff member, grants review based on the record (see section UWS 11.07 and 11.10).

(i) If the academic staff member does not request a hearing, dismissal action shall proceed along normal administrative lines, but the provision of sections UWS 11.02, 11.08 and 11.09 shall apply.

(j) A decision to dismiss following a hearing may be appealed to the board within 30 days of the date of the decision by the Chancellor or designee. In these instances, section UWS 11.10 applies.

(11) If a proceeding on charges against an academic staff member holding a probationary or fixed-term appointment is not concluded before his/her appointment would expire, he/she may elect to have the proceedings carried to a final decision. Unless he/she so elects in writing, the proceedings shall end at the expiration of the appointment.

(a) If the Chancellor or designee ultimately decides in favor of the appellant, salary lost during the interim period between the effective date of dismissal and the date of the decision by the Chancellor or designee, or at the end of the contract period - whichever is earlier - shall be restored.

(b) In no event shall a decision favorable to the appellant extend the term of the original appointment.

(c) If the Chancellor or designee decides in favor of the appellant and the appellant has been scheduled for a review leading to renewal/nonrenewal during dismissal proceedings, the Chancellor or designee may at his/her discretion decide on renewing the academic staff member following such evaluation as deemed appropriate.

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