INTRODUCTION
VISION, VALUES, MISSION & GOALS OF THE UNIVERSITY OF WISCONSIN OSHKOSH

Governing Ideas for
The University of Wisconsin Oshkosh

October 2010

University of Wisconsin System Mission Statement

The mission of the University of Wisconsin System is to develop human resources, to discover and disseminate knowledge, to extend knowledge and its application beyond the boundaries of its campuses, and to serve and stimulate society by developing in students heightened intellectual, cultural, and humane sensitivities, scientific, professional and technological expertise, and a sense of purpose. Inherent in this broad mission are methods of instruction, research, extended training, and public service designed to educate people and improve the human condition. Basic to every purpose of the UW System is the search for truth.

The Core Mission of the University Cluster Institutions

As institutions in the University Cluster of the University of Wisconsin System, the University of Wisconsin-Eau Claire, the University of Wisconsin-Green Bay, the University of Wisconsin-La Crosse, the University of Wisconsin-Oshkosh, the University of Wisconsin-Parkside, the University of Wisconsin-Platteville, the University of Wisconsin-River Falls, the University of Wisconsin-Stevens Point, the University of Wisconsin-Stout, the University of Wisconsin-Superior and the University of Whitewater share the following core mission. Within the approved differentiation stated in their select missions, each university in the cluster shall:

a. Offer associate and baccalaureate degree level and selected graduate programs within the context of its approved mission statement.

b. Offer an environment that emphasizes teaching excellence and meets the educational and personal needs of students through effective teaching, academic advising, counseling and through university-sponsored cultural, recreational and extra-curricular programs.

c. Offer a core of liberal studies that supports university degrees in the arts, letters and sciences, as well as specialized professional/technical degrees at the associate and baccalaureate level.

d. Offer a program of pre-professional curricular offerings consistent with the university’s mission.

e. Expect scholarly activity including research, scholarship and creative endeavor, that supports its programs at the associate and baccalaureate degree level, its selected graduate programs and its approved mission statement.

f. Promote the integration of the extension function, assist the University of Wisconsin-Extension in meeting its responsibility for statewide coordination, and encourage faculty and staff participation in outreach activity.

g. Participate in inter-institutional relationships in order to maximize educational opportunity for the people of the state effectively and efficiently through the sharing of resources.

h. Serve the needs of women, minority, disadvantaged, disabled and non-traditional students and seek racial and ethnic diversification of the student body and the professional faculty and staff.
i. Support activities designed to promote the economic development of the state.

SELECT MISSION OF THE UNIVERSITY OF WISCONSIN OSHKOSH

In addition to the system and core missions, UW Oshkosh has the following select mission:

The University of Wisconsin Oshkosh provides a wide array of quality educational opportunities to the people of northeastern Wisconsin and beyond through the discovery, synthesis, preservation and dissemination of knowledge. The interaction of our dedicated faculty, staff and students fosters an inclusive learning environment that prepares our graduates to meet the challenges of an increasingly global society.

THE UW OSHKOSH STUDENT LEARNING OUTCOMES

UW Oshkosh prepares graduates who are talented, liberally educated, technically skilled global citizens and are fully engaged as leaders and participants in civic, economic, political and social life. The University fulfills its learning mission through a commitment to providing a 21st century liberal education that is grounded in a set of student learning outcomes unanimously adopted by the Faculty Senate on May 13, 2008. The University embraces the following definition of liberal education:

Liberal education is a philosophy of education that empowers individuals with broad knowledge and transferable skills, and a strong sense of values, ethics, and civic engagement. These broad goals have been enduring even as the courses and requirements that comprise a liberal education have changed over the years. Characterized by challenging encounters with important and relevant issues today and throughout history, a liberal education prepares graduates both for socially valued work and for civic leadership in their society. It usually includes a general education curriculum that provides broad exposure to multiple disciplines and ways of knowing, along with more in-depth study in at least one field or area of concentration.

[Source: Advocacy "What is a liberal education?" at http://www.aacu.org/advocacy/What_is_liberal_education.cfm]

- Knowledge of Human Cultures and the Physical and Natural World
  - Through study in fine and performing arts, humanities, mathematics and science, and social science
    Focused by engagement with big questions, both contemporary and enduring
- Skills, both Intellectual and Practical, including
  - Identification and objective evaluation of theories and assumptions
  - Critical and creative thinking
  - Written and oral communication
  - Quantitative literacy
  - Technology and information literacy
  - Teamwork, leadership, and problem solving
    Practiced extensively, across the curriculum, in the context of progressively more challenging problems, projects, and standards for performance
- Responsibility, as Individuals and Communities, including
  - Knowledge of sustainability and its applications
  - Civic knowledge and engagement—local and global
  - Intercultural knowledge and competence
  - Ethnical reasoning and action
• Foundations and skills for lifelong learning
  Developed through real-world challenges and active involvement with diverse communities

❖ Learning: Integrated, Synthesized, and Advanced, including

• Synthesis and advanced accomplishment across general and specialized studies
  Demonstrated through the application of knowledge, skills, and responsibilities to new settings
  and complex problems.

{Note: Learning Outcomes are adapted from AAC&U report, College Learning for a New Global Century

VISION STATEMENT

The University of Wisconsin Oshkosh will be a national model as a responsive, progressive, and
scholarly public service community known for its accomplished record of engaging people and
ideas for common good. It will be admired for:

• Enrichment and Leadership that emphasizes intellectual, civic, ethical, and personal
development for students, faculty, and staff.

• The Centrality of the Student-Faculty Relationship that is distinguished by active learning,
mutual respect, and collaborative scholarship.

• Teaching Excellence that is characterized by diversity, discovery, engagement, innovation,
dialogue, and dissemination.

• Scholarly Achievement that furthers new knowledge through diverse methods of inquiry and
is applicable to multiple audiences.

• Partnerships that mutually serve, stimulate, and shape the University and the broader public.

CORE VALUES

The University of Wisconsin Oshkosh community values:

• Knowledge and Continuous Learning. We believe that the pursuit of knowledge,
understanding, meaning, and personal development should be encouraged across all stages
of life.

• Diversity and Inclusivity. We believe that a university community connects the perspectives
and backgrounds of diverse social and academic groups of people. To meet this aim, a
university community must be inclusive in its composition and support a civil atmosphere and
a tolerant environment for learning.

• Quality and Achievement. We believe that the university should provide a wide range of
high-quality educational and scholarly opportunities that stimulate activity and recognize
achievement by students, faculty, and staff.

• Freedom and Responsibility. We believe that members of a university community must be
free to pursue academic, artistic, and research agendas that are essential to the University
Mission, while contributing to an open and collegial environment that promotes reasoned
inquiry, intellectual honesty, scholarly competence, and the pursuit of new knowledge.

• Engagement and Support. We believe the vitality of ideas is supported by mutually
reinforcing relationships that involve students, faculty, staff, administrators, and the broader
community. The student-faculty relationship is the most central relationship in the university.
This spirit of engagement must also extend beyond the borders of our campus as we seek to
stimulate, serve, and shape our society.

• Social Awareness and Responsiveness. We believe that educators and students should
explore and engage the challenges that confront regional, national, and global communities,
using their intellectual and creative capabilities to understand, investigate, and solve
problems. Social awareness will allow us to respond to domestic and international needs for equitable and sustainable societies.

**STRATEGIC DIRECTIONS**

- **Develop a Diverse, Engaged Community of Lifelong Learners and Collaborative Scholars.**
  
  The University of Wisconsin Oshkosh will be regionally based and globally connected. We are a community of critical, creative, and constructive thinkers who approach academic and social issues in an informed and principled way. Our learning community is distinguished by a pervasive commitment to diversity and inclusivity, international perspectives, support for those with disabilities or special needs, and engaged community service.

- **Enhance Teaching Excellence, Active Learning and Dynamic Curricular Programs.**
  
  The University of Wisconsin Oshkosh will enhance the scholarly and physical environment we provide for teaching excellence, active learning, and dynamic curricular programs. The university will encourage, support, and intensify efforts to engage students inside and outside of the classroom.

- **Foster Research, Intellectual Activity, and Creative Expression.**
  
  The University of Wisconsin Oshkosh will sustain, support, and enhance a vigorous scholarly environment for research, intellectual activity, and creative expression. We will encourage faculty, students, and staff to generate and maintain connections to professional communities and the people, institutions, and communities we serve. Faculty, staff, and students will seek opportunities to work together to discover, share, and apply knowledge.

- **Expand Regional Outreach and Domestic and International Partnerships.**
  
  The University of Wisconsin Oshkosh will expand and support collaborative relationships that contribute to the development of knowledge and its application in new situations while maintaining its core values. We encourage principled and responsive relationships that draw on the ideas, ambitions, and talents of the university and its external partners.

- **Promote Representative Leadership, Responsive Shared Governance, and Flexible Resource Stewardship.**
  
  The University of Wisconsin Oshkosh will promote accessible, representative, and altruistic leadership, responsive shared governance, and flexible resource stewardship. We will be broad, open, and inclusive in governance processes and will align our human, physical, and financial resources to meet our established priorities.
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# Governance

**Statutory References**

## GOV 0. STATUTORY REFERENCES

**Chapter 36, Wisconsin Statutes** (Excerpts Relevant to Shared Governance and Personnel)

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### 36.01 Statement of Purpose and Mission.

1. The legislature finds it in the public interest to provide a system of higher education which enables students of all ages, backgrounds and levels of income to participate in the search for knowledge and individual development; which stresses undergraduate teaching as its main priority; which offers selected professional graduate and research programs with emphasis on state and national needs; which fosters diversity of educational opportunity; which promotes service to the public; which makes effective and efficient use of human and physical resources; which functions cooperatively with other educational institutions and systems; and which promotes internal coordination and the wisest possible use of resources.

2. The mission of the system is to develop human resources, to discover and disseminate knowledge, to extend knowledge and its application beyond the boundaries of its campuses and to serve and stimulate society by developing in students heightened intellectual, cultural and humane sensitivities, scientific, professional and technological expertise and a sense of purpose. Inherent in this broad mission are methods of instruction, research, extended training and public service designed to educate people and improve the human condition. Basic to every purpose of the system is the search for truth.

### History:

1973 c. 335.

### 36.03 System.

There is created in this state a system of institutions of learning to be known as the University of Wisconsin System. The principal office and one university of the system shall be located at or near the seat of state government.

### History:

1973 c. 335.

### 36.05 Definitions.

In this chapter:

1. “Academic staff” means professional and administrative personnel with duties, and subject to types of appointments, that are primarily associated with higher education institutions or their administration, but does not include faculty and staff provided under s. 16.57.

2. “Board of regents” or “board” means the board of regents of the University of Wisconsin System.

3. “Campus” means the publicly owned or leased buildings and grounds which comprise all or part of a university, a center or the extension.

4. “Center” means any one of the 2-year collegiate campuses of the system.

5. “Chancellor” means the chief executive of an institution.

6. “Classified staff” means all employees of the system other than faculty, academic staff, persons whose employment is a necessary part of their training, student assistants and student hourly help.

6m. “College campus” means any one of the 2-year collegiate campuses of the system.

7. “Extension” means the community outreach, public service and extension services of the system.

8. “Faculty” means persons who hold the rank of professor, associate professor, assistant professor or instructor in an academic department or its functional equivalent in an institution, persons described under s.36.13(4)(c) and such academic staff as may be designated by the chancellor and faculty of the institution.

9. “Institution” means any university or an organizational equivalent designated by the board and the University of Wisconsin colleges.
Selected Excerpts from the Wisconsin Statutes

(9m) "Instructional academic staff" means academic staff members with teaching responsibilities.

(9s) "Mainframe" means a large scale, central computer maintained by the board for multipurpose functions.

(10) "President" means the chief executive of the system.

(11) "Student" means any person who is registered for study in any institution for the current academic period. For the purpose of administering particular programs or functions involving students, the board shall promulgate rules defining continuation or termination of student status during periods between academic periods.

(12) "System" means the University of Wisconsin System.

(13) "University" means any baccalaureate or graduate degree granting institution.

(14) “University of Wisconsin Colleges” means the college campuses as a whole.


36.07 Corporate title, officers, meetings, records.

(1) Corporate status and title. The board and their successors in office shall constitute a body corporate by the name of "Board of Regents of the University of Wisconsin System".

(2) Secretary. The board shall appoint a secretary of the board who shall keep a faithful record of all its transactions.

(3) Treasurer. The state treasurer shall be the treasurer of the board, but the board may appoint other persons to receive other moneys that may be due or remitted from any source.

(4) Meetings, times, notice. The times for holding the regular annual meeting and such other meetings as are required, and the manner of providing notice for such meetings, shall be determined by the board's bylaws.

(5) Access to the board. The board shall provide in its operating policies for access to the board by the public, faculty, students and chancellors.

(6) Meetings and records public. The board meetings shall be open and all records of such meetings and of all proceedings of the board shall be open to inspection in accordance sub chs. II and V of ch. 19.

History: 1973 c. 335; 1975 c. 426 s. 3; 1981 c. 335 s. 26; 1991 a. 39.

36.09 Responsibilities.

(1) The board of regents.

(a) The primary responsibility for governance of the system shall be vested in the board which shall enact policies and promulgate rules for governing the system, plan for the future needs of the state for university education, ensure the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers and promote the widest degree of institutional autonomy within the controlling limits of system-wide policies and priorities established by the board.

(b) The board, after public hearing at each institution, shall establish for each institution a mission statement delineating specific program responsibilities and types of degrees to be granted.

(c) The board shall determine the educational programs to be offered in the system and may discontinue educational programs as it deems necessary.

(d) The board shall establish policies to guide program activities to ensure that they will be compatible with the missions of the institutions of the system. To this end, the board shall make all reasonable effort to provide night courses.

(e) The board shall appoint a president of the system; a chancellor for each institution; a dean for each college campus; the state geologist; the director of the laboratory of hygiene; the director of the psychiatric institute; the state cartographer; and the requisite number of officers, other than the vice presidents, associate vice presidents and assistant vice presidents of the system; faculty; academic staff and other employees and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties and the term of office for each. The board shall fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice president and assistant vice president of the system. No sectarian or partisan tests or any tests based upon race, religion, national origin or sex shall ever be allowed or exercised in the appointment of the employees of the system.

(f) The board shall delegate to each chancellor the necessary authority for the administration and operation of the institution within the policies and guidelines established by the board. The board may also delegate or rescind other authority to chancellors, committees of the board, administrative officers, members of the faculty and students or such other groups as it deems appropriate.

(gm) The board shall not create, except as specifically authorized by the legislature in each instance, any new college, school or its functional equivalent if such college, school or functional equivalent has academic programs at the graduate or professional, post-baccalaureate level.

(gm) 1. For the purposes of this paragraph, college or school means an academic unit below the institutional level but above the departmental level, including but not limited to a graduate school, law school, medical school, social work school, architecture school, business school and a public administration school.
(gm) 2. For the purposes of this paragraph, a new college or school shall be deemed to have been created if an administrative position of dean or its functional equivalent is established and if a new instructional program, separate and distinct from the programs currently available at that institution, is established.

(gm) 3. This paragraph does not apply to the redesignation or reorganization of existing colleges or schools if accomplished through the reclassification of existing positions or the restructuring of existing organizational entities.

(h) The board shall allocate funds and adopt budgets for the respective institutions giving consideration to the principles of comparable budgetary support for similar programs and equitable compensation for faculty and academic staff with comparable training, experience and responsibilities and recognizing competitive ability to recruit and retain qualified faculty and academic staff. If the board ceases or suspends operation of any institution or college campus, the appropriations to the board for operation of the institution or college campus may be utilized by the board for any other purpose authorized by the appropriations within the period for which the appropriations are made.

(hm) The board shall develop policies for the purpose of specifically identifying the general purpose revenue and nongeneral purpose revenue funding sources used for noninstructional student activities and for the purpose of governing the allocation of funds to those noninstructional student activities supported by both general purpose and nongeneral purpose revenue.

(i) Upon recommendation of the president and the administrator of the division of merit recruitment and selection in the office of state employment relations, the board and the director of the office shall jointly adopt general policies governing the designation of positions to be exempt from the classified service as academic staff as defined in s. 36.15 (1) (a) and (b). No position in the classified service may be designated as an academic staff position under the general policies unless the director of the office of state employment relations approves the designation.

(j) Except where such matters are a subject of bargaining with a certified representative of a collective bargaining unit under s. 111.91, the board shall establish salaries for persons not in the classified staff prior to July 1 of each year for the next fiscal year, and shall designate the effective dates for payment of the new salaries. In the first year of the biennium, payments of the salaries established for the preceding year shall be continued until the biennial budget bill is enacted. If the budget is enacted after July 1, payments shall be made following enactment of the budget to satisfy the obligations incurred on the effective dates, as designated by the board, for the new salaries, subject only to the appropriation of funds by the legislature and s. 20.928 (3). This paragraph does not limit the authority of the board to establish salaries for new appointments. The board may not increase the salaries of employees specified in ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities under par. (h), to fund job reclassifications or promotions, or to recognize competitive factors. The board may not increase the salary of any position identified in s. 20.923 (4g) under this paragraph unless the salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary increase to correct a salary inequity or to recognize competitive factors. The board may not increase the salary of any position identified in s. 20.923 (4g) (ae) and (am) unless the increase is approved by the office of state employment relations. The granting of salary increases to recognize competitive factors does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the secretary of administration and director of the office of state employment relations concerning the amounts of any salary increases granted to recognize competitive factors, and the institutions at which they are granted, for the 12-month period ending on the preceding June 30.

(k) 1. The board shall, with respect to academic staff, correct pay inequities based on gender or race.

2. The board shall do all of the following:

   a. Establish and maintain job categories in which to place academic staff positions. The job categories shall be described in sufficient detail to enable the board to comply with sub d. 1.

   b. Establish and maintain pay ranges, each of which has a minimum and a maximum rate of pay and, assign the job categories established under sub d. 2. a. to those pay ranges. This sub d. 2. b. does not apply to appointments under s. 36.13 (4).

(l) The board shall possess all powers necessary or convenient for the operation of the system except as limited in this chapter.

(2) The president.

(a) The president shall be president of all the faculties and shall be vested with the responsibility of administering the system under board policies and shall direct a central administration which shall assist the board and the president in establishing system-wide policies in monitoring, reviewing and evaluating these policies, in coordinating program development and operation among institutions, in planning the programmatic, financial and physical development of the system, in maintaining fiscal control and compiling and recommending educational programs, operating budgets and building programs for the board. Subject to par. (b), the president shall appoint each senior vice president, vice president, associate vice president and assistant vice president of the system. The president shall fix the term of office for each senior vice president, vice president, associate vice president and assistant vice president of the system.

(b) The sum of the number of senior vice presidents and vice presidents of the system that the president may appoint under par. (a) may not exceed 4.
(3) The chancellors.

(a) The chancellors shall be the executive heads of their respective faculties and institutions and shall be vested with the responsibility of administering board policies under the coordinating direction of the president and be accountable and report to the president and the board on the operation and administration of their institutions. Subject to board policy the chancellors of the institutions in consultation with their faculties shall be responsible for designing curricula and setting degree requirements; determining academic standards and establishing grading systems; defining and administering institutional standards for faculty peer evaluation and screening candidates for appointment, promotion and tenure; recommending individual merit increases; administering associated auxiliary services; and administering all funds, from whatever source, allocated, generated or intended for use of their institutions.

(b) The chancellor may designate a person as provost, to act as chief executive officer of the institution in the chancellor's absence, if the person currently holds a limited appointment as vice chancellor, associate chancellor, assistant chancellor, associate vice chancellor or assistant vice chancellor. The chancellor may not create an additional administrative position for the purpose of this paragraph.

(4) Faculty. The faculty of each institution, subject to the responsibilities and powers of the board, the president and the chancellor of such institution, shall be vested with responsibility for the immediate governance of such institution and shall actively participate in institutional policy development. As such, the faculty shall have the primary responsibility for academic and educational activities and faculty personnel matters. The faculty of each institution shall have the right to determine their own faculty organizational structure and to select representatives to participate in institutional governance.

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

(5) Students. The students of each institution or campus subject to the responsibilities and powers of the board, the president, the chancellor and the faculty shall be active participants in the immediate governance of and policy development for such institutions. As such, students shall have primary responsibility for the formulation and review of policies concerning student life, services and interests. Students in consultation with the chancellor and subject to the final confirmation of the board shall have the responsibility for the disposition of those student fees which constitute substantial support for campus student activities. The students of each institution or campus shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance.


Sub. (5) gives student organizations, the right to select representatives to participate in institutional governance. Student Assoc., U.W.-Milw. v. Baum, 74 Wis (2d) 283, 246 NW (2d) 622 (1976).

The board of regents has no authority to provide a deferred salary plan for employees other than through the state teachers retirement system or the Wisconsin retirement fund. 61 Atty. Gen. 6.

A ruling by chancellor of University of Wisconsin-Eau Claire denying a request to conduct door-to-door solicitation in residence halls did not violate constitutional rights. 61 Atty. Gen. 373.

A classified audit fee structure may be established by university regents using age for classification purposes. 62 Atty. Gen. 1.

The leasing of university buildings to a religious congregation during nonschool days and hours on a temporary basis while the congregation's existing facility is being renovated and leasing convention space to a church conference would not violate the separation of church and state provisions of the First Amendment to the U.S. Constitution and Art I, s. 18. 63 Atty. Gen. 374.

Regents should identify how compulsory fees will be used to necessarily and conveniently further the objects of the university before approving a segregated fee, under 37.11 (8) (1971 Stats.), to finance a legal services program for Oshkosh Student Association. Regent's duties are unchanged under sub. (5). 63 Atty. Gen. 385.

A Board of Regents' proposed one percent raise of the pay range minima and maxima of academic staff required the prior approval of secretary of employment relations. 80 Atty. Gen. 138.

The financing of student organizations through mandatory student fees does not violate the 1st amendment if viewpoint neutrality is the operational principal. Board of Regents v. Southworth, 529 U.S. 217, 146 L. Ed. 2d 193 (2000).

With one exception, the university’s system, as required by Southworth, for distributing compelled fees collected from university students to student groups that delegates funding decisions to the student government was subject to sufficient limits. Southworth v. Board of Regents of the University of Wisconsin System, 307 F. 3d 566 (2002).

36.11 Powers and duties of the board of regents.

(1) Protection of people; custody and management of property.
(a) The board may promulgate rules under ch. 227 to protect the lives, health and safety of persons on property under its jurisdiction and to protect such property and to prevent obstruction of the functions of the system. Any person who violates any rule promulgated under this paragraph may be fined not more than $500 or imprisoned not more than 90 days or both.

(b) Except as provided in this paragraph, the board may purchase, have custody of, hold, control, possess, lease, grant easements and enjoy any lands, buildings, books, records and all other property of any nature which may be necessary and required for the purposes, objects and uses of the system authorized by law. Any lease is subject to the powers of the University of Wisconsin Hospitals and Clinics Authority under s. 233.03 (13) and the rights of the authority under any lease agreement, as defined in s. 233.01 (6). The board shall not permit a facility that would be privately owned or operated to be constructed on state-owned land without obtaining prior approval of the building commission under s. 13.48 (12). The board may sell or dispose of such property as provided by law, or any part thereof when in its judgment it is for the best interests of the system and the state. All purchases and sales of real property shall be subject to the approval of the building commission. The provision of all leases of real property to be occupied by the board shall be the responsibility of the department of administration under s. 16.84 (5).

(c) The board may promulgate rules under ch. 227 for the management of all property under its jurisdiction, for the care and preservation thereof and for the promotion and preservation of the orderly operation of the system in any or all of its authorized activities and in any or all of its institutions with forfeitures for their violation, which may be sued for and collected in the name of the board before any court having jurisdiction of such action. Forfeitures shall not exceed $500.

(cm) The board shall promulgate rules under ch. 227 prescribing the times, places and manner in which political literature may be distributed and political campaigning may be conducted in state-owned residence halls. No such rule may authorize any activity prohibited in s. 11.36 (3) or (4).

(d) All fines imposed and collected under this subsection shall be transmitted to the county treasurer for disposition in accordance s. 59.25 (3) (f) and (g). All forfeitures, including forfeitures of posted bail if any, imposed and collected under this subsection shall be transmitted to the county treasurer for disposition in accordance with ss. 778.13 and 778.17.

(e) The board, with the approval of the building commission, may sell or lease state-owned residence halls to another state agency or nonstate nonprofit agency for purposes of alternate use.

(2) Police authority.

(a) The board shall have concurrent police power, with other authorized peace officers, over all property subject to its jurisdiction, and all property contiguous to such property at the University of Wisconsin-Parkside if owned by a nonprofit corporation the primary purpose of which, as determined by the board, is to benefit the system. Such concurrent police authority shall not be construed to reduce or lessen the authority of the police power of the community or communities in which a campus may be located. All campus police officers shall cooperate with and be responsive to the local police authorities as they meet and exercise their statutory responsibilities. The designated agents of the board may arrest, with or without warrant, any person on such property who they have reasonable grounds to believe has violated a state law or any rule promulgated under this chapter and deliver such person to any court having jurisdiction over the violation and execute a complaint charging such person with the violation. This subsection does not impair the duty of any other peace officers within their jurisdictions to arrest and take before the proper court persons found violating any state law on such property.

(b) The board may employ police for the institutions and chiefs to head such police, or contract for police, all of whom shall be deemed peace officers under s. 939.22 (22) under the supervision and control of the appropriate chancellor or the chancellor's designees. Such police officers shall meet the minimum standards established for other police officers by the law enforcement standards board or a comparable agency. Such police shall preserve the peace on all property described under par. (a), enforce all rules promulgated under this chapter and all other laws, and for that purpose the chancellor or the chancellor's designee may call for aid from such other persons as is deemed necessary.

(3) Admission of applicants.

(a) The board may establish the policies for admission within the system and within these policies each institution shall establish specific requirements for admission to its courses of instruction. No sectarian or partisan tests or any tests based upon race, religion, national origin of U.S. citizens or sex shall ever be allowed in the admission of students thereto.

(b) The board shall establish policies for the appropriate transfer of credits between institutions within the system, including the designation of those courses which shall be transferable between and within institutions without loss of credit toward graduation or toward completion of a specific course of study.

(c) The board shall establish policies for the appropriate transfer of credits with other educational institutions outside the system.

(cm) The board shall establish and maintain a computer-based credit transfer system that shall include, but not be limited to, the following:

1. All transfers of credit between institutions within the system.

2. Program-specific course requirements in the system.
3. Technical college collegiate transfer program offerings, as defined in s. 38.01 (3).

4. Other courses for which the transfer of credits is accepted under par. (b) or (c).

(d) 1. Except as provided in sub d. 2., the board shall require that a $35 fee accompany each application for admittance from persons seeking admittance to any school within the system as new freshmen or as transfer students from outside the system. The board may exempt from the fee under this subdivision, on the basis of financial need, a maximum of 5% of the applications in any school year.

2. The board shall require that a $45 fee accompany each application for admittance to a graduate school, law school or medical school within the system.

3. Of the fee received with each application under sub ds. 1. and 2. the board shall provide $3 for the support of the higher education location program under s. 36.25 (36).

(4) Injunctive relief. The board may obtain injunctive relief to enforce this chapter or any rules promulgated under this chapter.

(5) Insurance.

(a) The board may procure liability insurance covering the members of the board, any officer, employee or such student whose activities may constitute an obligation or responsibility of the system.

(b) The board may procure insurance to cover injuries sustained by students as a result of their participation in intercollegiate athletics. The board may not use general purpose revenue to pay for such insurance. With respect to any of the risks to be covered by the insurance, the board may contract for the services of a claims administrator and may obtain coverage by any combination of self-insurance, excess or stop-loss insurance or blanket insurance.

(6) Financial aids.

(a) The board may:

1. Make grants to students from funds budgeted to or controlled by the system and formulate policies and promulgate rules for the grants.

2. Make grants equivalent in value to the payment of incidental fees to disabled residents of the state who are recommended and supervised by the department of workforce development under s. 47.02.

(b) The board shall not make a grant under par. (a) to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

(c) By April 10, 1998, and annually thereafter, the board shall develop and submit to the higher educational aids board for its review under s. 39.285 (1) a proposed formula for the awarding of grants under s. 39.435, except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year to students enrolled in the system.

(7) Confer degrees. The board may confer such degrees and grant such diplomas as are usual in universities as it deems appropriate.

(8) Parking rules.

(a) The board may make general policies and shall authorize the chancellors to adopt rules regulating the parking of motor vehicles on property under their jurisdiction. Such rules shall not be subject to ch. 227.

(b) The board shall establish fines for the violation of any rule made under par. (a). The institutions are authorized to collect such fines together with moneys collected from the sale of parking permits and other fees established under par. (a) and such moneys shall be paid into the state treasury and credited to s. 20.285 (1) (h), to be used only for the purpose of developing and operating parking or other transportation facilities at the institution at which collected and for enforcing parking rules under par. (a).

(8e) Parking fees. The board shall direct each institution within the system to charge a parking fee for the parking of motor vehicles by students, faculty, academic and classified staff and visitors at campus. The board shall require the fee to be sufficient to recover the costs of the construction and maintenance necessary for the parking facilities. Nothing in this paragraph shall be deemed to require the recovery of the costs of land for parking facilities. Nothing in this paragraph shall be deemed to require that all users of the parking facilities be charged a parking fee. College campus facilities owned by a county are not required to charge a parking fee.

(8m) Transportation planning. The board shall direct the administrative officers of each campus to work with the regional planning commissions and the local authorities of the community in which the campus is located to evaluate the transportation needs of the campus population. The board shall require each campus to develop a transportation plan for the campus to effect energy resource conservation and efficient use of transportation resources. The plan shall include pedestrian walkways, bikeways, bike routes, bicycle storage racks, car and van pools and, to the extent feasible, improved mass transit services. The transportation plans shall detail parking management strategies which provide incentives for the use of mass transit and high occupancy vehicles.

(9) Condemnation. The board may acquire by condemnation proceedings in ch. 32 such parcels of land as it deems necessary for the use of any institution whenever the board is unable to agree with the owner upon the compensation.
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(10) University fund. The board may expend such portion of the income of the university fund on or at the University of Wisconsin-Madison as is appropriated by the legislature for the erection of buildings and the purchase of equipment or books.

(11) Surplus money. The board may invest any of the surplus money designated in s. 20.285 (1) (h) in such securities as are legal for trust fund investments; or invest such funds or any part thereof, in the senior or junior bonds or obligations which may be issued by such nonprofit-sharing corporation as may be contracted with by the board for the construction or equipment of dormitories, commons or field houses, which bonds or obligations shall be secured by a mortgage or pledge of the buildings or improvements erected or to be erected by such corporations and by a mortgage or pledge of its leasehold interest. Any interest on any of such bonds or securities shall when received be added to the revolving funds and may be used for the purposes set forth in this subsection.

(12) Library depository.

(a) The board may participate in the formation and maintenance of a nonprofit-sharing corporation sponsored by participating colleges, universities and libraries for the purpose of providing and operating a central library depository at a location in a midwestern state for the storage of little used books and other library and research materials of participating institutions, and which corporation may also perform other functions for the benefit of participating institutions such as, without limitation because of enumeration, the correlating of library catalogs of the participating institutions, the coordinating and planning of the purchasing by each institution of costly or infrequently used books and research materials in order to avoid unnecessary duplication and facilitating the loaning of library books and other library and research materials between participating institutions. The board shall possess all powers necessary or convenient to accomplish the foregoing, including the authority to designate representatives or members of such corporation in accordance with its articles and bylaws.

(b) The board may make use of and pay for the use of the facilities and services of such nonprofit-sharing corporation, but the board shall retain title to all books and materials deposited with such corporation for storage or loaned to other participating institutions and the authority of the board to expend funds for the purchase of land, the construction of buildings and additions to buildings and the purchase of equipment for the purpose of providing such facilities shall be limited to funds appropriated under s. 20.285. Except as hereinbefore provided, the appropriations to the board are to be available for the purposes of this subsection to the extent that such appropriation may be applicable and without reference to whether any particular appropriation is available for expenditure at any institution.

(13) Auxiliary reserves. Auxiliary enterprise reserve funds established prior to merger of this state's public institutions of higher education for the benefit or support of an institution or group of institutions shall not be utilized for any other purpose.

(15) Tax deferred annuities. The board may continue all salary reduction agreements with its employees pursuant to section 403 (b) of the internal revenue code. The board may enter into new salary reduction agreements with its employees pursuant to section 403 (b) of the internal revenue code or other applicable federal law and may purchase annuities for its employees pursuant to these agreements from such annuity providers, both public and private, as the board deems appropriate.

(15m) Football coaches pension plan. The board may deduct contributions from the salaries of football coaches employed in the system who are eligible and wish to participate in the qualified pension plan for football coaches established as the American football coaches retirement trust, and remit the deductions to the administrator of that plan, if the American football coaches retirement trust or the administrator or agent of the plan indemnifies the board and its employees against, and holds the board and its employees harmless from, all claims and demands associated with the plan.

(16) Commencement of fall semester. The board shall ensure that no fall semester classes at any institution, except medical school classes and 4th year classes at the school of veterinary medicine, commence until after September 1.

(17) Sabbatical leave for instructional faculty. The board may grant sabbatical leave of up to one year to instructional faculty, in order to recognize and enhance teaching efforts and excellence, under rules and procedures adopted by the board, subject to the following conditions:

(a) Sabbatical leave may be granted only to those faculty members who have completed 6 or more years, or the equivalent, of full-time instructional service in the system.

(b) Only one sabbatical leave may be granted for each 6 years of full-time instructional service in the system with preference given to those who have been making significant contributions to teaching and have not had a leave of absence except under s. 103.10, regardless of source of funding, in the previous 4 years.

(c) Sabbatical leave shall be granted for the purposes of enhancing teaching, course and curriculum development or conducting research or any other scholarly activity related to instructional programs within the field of expertise of the faculty member taking such leave.

(d) Sabbatical leave shall be approved by appropriate faculty and administrative committees.

(e) A faculty member shall receive compensation while on sabbatical leave, but such compensation, when combined with outside compensation earned while on leave, shall not exceed the full compensation normally received from the system.
(f) The faculty member taking a sabbatical leave shall agree to return to the institution from which leave was granted for at least one year after the termination of the sabbatical or return any compensation received from the system during the sabbatical.

(g) Funding for the sabbatical leave program shall be provided from the existing general operations appropriation for the system.

(18) Midwest technology development institute. The board may maintain membership of this state in the midwest technology development institute.

(19) Furnishing of services to school districts.

(a) The board may furnish, and school districts may accept, services for educational study and research projects and they may enter into contracts under s. 66.0301 for that purpose.

(b) A group of school districts, if authorized by each school board, may form a nonprofit-sharing corporation to contract with the state or the board for the furnishing of the services specified in par (a).

(c) The corporation shall be organized under ch. 181 and shall have the powers there applicable. Members of the school boards specified in par. (b) may serve as incorporators, directors and officers of the corporation.

(d) The property of the corporation shall be exempt from taxation.

(e) The corporation may receive gifts and grants and be subject to their use, control and investment as provided in s. 118.27, and the transfer of the property to the corporation shall be exempt from income, franchise and death taxes.

(21) Controlled substances and controlled substance analogs; discipline. Any student who engages in an activity, on campus or at an event sponsored by a college campus or institution or by the system, that constitutes a violation of ch. 961 is subject to nonacademic misconduct disciplinary sanctions, as provided by the board by rule. In determining the appropriate sanction, the board or its designee shall consider those penalties, including suspension and expulsion, that will contribute most effectively to maintaining a system environment that is free from controlled substances, as defined in s. 961.01 (4), and controlled substance analogs, as defined in s. 961.01 (4m).

(22) Orientation program; information on sexual assault and sexual harassment.

(a) The board shall direct each institution and college campus to:

1. Incorporate in its orientation program for newly entering students oral and written or electronic information on sexual assault and sexual harassment, as defined in s. 111.32 (13), including information on sexual assault by acquaintances of the victims and on all of the following:
   a. The legal definitions of, and penalties for, sexual assault under ss. 940.225, 948.02, and 948.025, sexual exploitation by a therapist under s. 940.22 and harassment under s. 947.013.
   b. Generally available national and state statistics, and campus statistics as compiled under par. (c) and as reported under par. (d), on sexual assaults and on sexual assaults by acquaintances of the victims.
   c. The rights of victims under ch. 950 and the services available at the institution or college campus and in the community to assist a student who is the victim of sexual assault or sexual harassment.
   d. Protective behaviors, including methods of recognizing and avoiding sexual assault and sexual harassment and locations in the community where courses on protective behaviors are provided.

2. Annually supply to all students enrolled in the institution or college campus printed or electronic material that includes all of the information under par. (a).

(b) Annually, the board shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3). The report shall indicate the methods each institution and college campus have used to comply with par. (a).

(c) Any person employed at an institution who witnesses a sexual assault on campus or receives a report from a student enrolled in the institution that the student has been sexually assaulted shall report to the dean of students of the institution. The dean of students shall compile reports for the purpose of disseminating statistical information under par. (a) 1. b.

(d) Annually, each institution shall report to the office of justice assistance in the department of administration statistics on sexual assaults and on sexual assaults by acquaintances of the victims that occurred on each campus of the institution in the previous year. The office of justice assistance shall include the statistics in appropriate crime reports published by the office.

(23) Board staff. The board shall provide office space, furnishings and supplies for the staff provided by the department of administration under s. 16.57.

(23m) Compliance with environmental laws. The board shall designate 2 positions, funded from the appropriation under s. 20.285 (3) (a), to coordinate system compliance with state and federal laws relating to the environment.

(24) State documents. The board shall assure that each campus identifies and collects significant state documents, as defined in s. 35.81 (3), relating to administration and academic programs of that campus. The board shall provide for the identification and collection of significant state documents, as defined in s. 35.81 (3), published by the board or the system administration.
(25) Training of health professionals. The board shall promote public awareness of, access to and training of health professionals for rural and underserved urban areas.

(26) Building program planning and approval. The board shall establish a process for submission of building projects to the building commission for approval. No building project for the system may be submitted by the board to the building commission unless the project is developed and approved by the board in conformity with this subsection. This subsection does not apply to building projects of the University of Wisconsin Hospitals and Clinics Authority.

(27) Condition on financial assistance. The board may not provide any state financial assistance under this chapter to any person during the period that the person is required to register with the selective service system under 50 USC, Appendix, sections 451 to 473 if the person has not so registered.

(30) Information technology reports. The board shall prepare and submit reports to the joint committee on information policy and technology upon request of the committee under s. 13.58 (5) (b) 3.

(32) Computer services data collection. The board shall collect and maintain data necessary to calculate numerical measures of the efficiency and effectiveness of the mainframe computer services provided by the board at the University of Wisconsin-Madison.

(33) Report on management and staff positions.
   (a) The board shall categorize each position in the system as either a management position or a staff position. The board shall define "management" and "staff" for the purposes of this paragraph.
   (b) By January 1, 1998, and annually thereafter by January 1, the board shall submit a report to the joint committee on finance that includes all of the following:
      1. The definitions of "management" and "staff" used by the board under par. (a).
      2. A list of the position titles in each category.
      3. The criteria used by the board to categorize the positions.
      4. The current number of authorized positions in each category at each campus.

(35) Student identification numbers. The board may assign to each student enrolled in the system a unique identification number. The board shall not assign to any student an identification number that is identical to or incorporates the student's social security number. This subsection does not prohibit the board from requiring a student to disclose his or her social security number, nor from using a student's social security number if such use is required by a federal or state agency or private organization in order for the system or the student to participate in a particular program.

NOTE: Sub. (35) (title) is renumbered s.36.32 (title) and sub. (35) is renumbered s. 36.32 (2) and amended, all eff. 7-1-06, by 2003 Wis. Act 282.

(36) Aquaculture demonstration facility. The board, in consultation with representatives of the aquaculture industry, shall operate the aquaculture demonstration facility authorized under 1999 Wisconsin Act 9, section 9107 (l) (i) 3.

(36m) School safety research. The board shall direct the schools of education and other appropriate research-oriented departments within the system, to work with the technical college system board under s. 38.04 (27), school districts, private schools and the department of public instruction to present to school districts and private schools the results of research on models for and approaches to improving school safety and reducing discipline problems in schools and at school activities.

(37) Extension local planning program. The board shall offer a local planning program through the extension to educate local policymakers about local planning and the grant program under s. 16.965.

(38) Gaylord Nelson chair of integrated environmental studies. The board shall establish the Gaylord Nelson chair of integrated environmental studies and seek private funding for this chair.

(44) Report on courses. By October 31, 2001, and annually thereafter by October 31, the board shall submit a report to the cochairpersons of the joint committee on finance that contains the number and type of, and the number of students enrolled in, each course offered by the system for which the academic fees or tuition charged equals at least 100% of the cost of offering the course.

(47) Armed forces. If a student who is a resident of Wisconsin and a member of a national guard or a member of a reserve unit of the U.S. armed forces withdraws from school after September 11, 2001, because he or she is called into state active duty under ch. 21 or into active service with the U.S. armed forces for at least 30 days, the board shall, at the student's request, do one of the following for all courses from which the student had to withdraw:
   (a) Reimburse the student all tuition and fees paid for all the courses and a prorated portion of room and board payments.
   (b) Grant the student an incomplete in all the courses and permit the student to complete the courses within 6 months after leaving state service or active service, without paying additional tuition or fees.

(49) Telecommunications services. The board may use telecommunications services, including data and voice over Internet services, procured by the board only for the purpose of carrying out its mission. The board shall not offer, resell, or provide telecommunications services, including data and voice over Internet services, that are available from a private telecommunications carrier to the general public or to any other public or private entity.
(50) Reserve officer training corps. The board may not allocate general purpose revenue for the operation of an institution or college campus that prohibits the reserve officer training corps from operating on its campus.

(51) Automobile allowance. The board may not use general purpose revenue, tuition, or academic fees for the president's or the chancellors' automobile allowance.

(52) Midwestern higher education compact dues. the board shall make full annual payments of membership dues to the Midwestern Higher Education Compact.


The board of regents has power to make reasonable rules governing student use of automobiles on university property and can enforce them by imposing reasonable monetary penalties and withholding records. A student court can be designated by the board of regents as an auxiliary enterprise. Moneys collected must be paid into the general fund. By regent action, they may be appropriated therefrom for operation of that activity. 59 Atty. Gen. 82.

The collective bargaining agreement between the University of Wisconsin and the teaching assistants association is valid. 59 Atty. Gen. 200.

A valid collective bargaining contract between the board of regents and the union representing unclassified employees may not be impaired, during its term, by the current or a future board of regents or the legislature. 60 Atty. Gen. 64.

The legality of having students and faculty voting participation on board of regents discussed. 60 Atty. Gen. 395.

The University of Wisconsin System may sell a dormitory which no longer is needed for educational purposes upon such terms as are agreeable to the Wisconsin state agencies building corporation and H.U.D. to guarantee the payment of the bonds issued for the initial construction of the building. 63 Atty. Gen. 252.

Campus police have jurisdiction under (2) to arrest only on campus unless deputized by a sheriff. Local ordinances are not applicable on campus. 68 Atty. Gen. 67.

### 36.12 Student discrimination prohibited.

(1) No student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course or facility of the system or its institutions or centers because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

(2) (a) The board shall direct each institution to establish policies and procedures to protect students from discrimination under sub. (1). The policies and procedures shall do all of the following:

1. Provide criteria for determining whether sub. (1) has been violated.
2. Provide remedies and sanctions for violations of sub. (1).
3. Require a complainant to file a complaint with the institution within 300 days of the alleged violation of sub. (1).
4. Provide periods within which the complainant and the institution must act for each procedural step leading to the issuance of a final decision and for appeal of the final decision to the chancellor of the institution.

(b) The board shall establish policies and procedures for the appeal of the chancellor's or dean's decision to the board.

(3) By September 1, 1991, 1992, 1993, and 1994, the board shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3). The report shall specify all of the following for the previous academic year:

(a) The number of complaints received at each institution alleging a violation of sub. (1) and the disposition of each such complaint.

(b) The number of requests for review received by the board and the disposition of each such request.


The exclusion of contraceptives from an employer or college or university sponsored benefits program that otherwise provides prescription drug coverage violates Wisconsin law prohibiting sex discrimination in employment and in higher education, ss. 111.31 to 111.395, 36.12 and 38.23. OAG 1-04. Student body diversity is a compelling state interest that can justify the use of race in university admissions. A race-conscious admissions program cannot use a quota system, but may consider race or ethnicity as a plus factor for an applicant, without insulating the individual from comparison with all other candidates for the available seats. An admissions program must be flexible enough to consider all pertinent elements of diversity in light of the particular qualifications of each applicant, and to place them on the same footing for consideration, although not necessarily according them the same weight. Race-conscious admissions policies must be limited in time. Grutter v. Bollinger. 539 U.S. 306, 123 S. Ct. 2325 (2003). See also Gratz v. Bollinger, 539 U.S. 244, 156 L. Ed. 2d 304, 123 S. Ct. 2411 (2003).

### 36.13 Faculty tenure and probationary appointments.

(1) Definitions. In this section:
Selected Excerpts from the Wisconsin Statutes

(a) "Probationary appointment" means an appointment by the board held by a faculty member during the period which may precede a decision on a tenure appointment.

(b) "Tenure appointment" means an appointment for an unlimited period granted to a ranked faculty member by the board.

(2) Appointments.

(a) Except as provided under par. (b), the board may grant a tenure appointment only upon the affirmative recommendation of the appropriate chancellor and the appropriate academic department or its functional equivalent.

(b) The board may grant a tenure appointment without the affirmative recommendation of the appropriate academic department or its functional equivalent if all of the following apply:

1. The board has the affirmative recommendation of the appropriate chancellor.
2. A faculty committee authorized by the board by rule to review the negative recommendation of the academic department or its functional equivalent finds that the decision of the academic department or its functional equivalent was based upon impermissible factors, as defined by the board by rule.
3. The board has the affirmative recommendation of a committee appointed according to the policies and procedures of the appropriate institution to review the individual's record with reference to criteria for tenure published by the institution under procedures established by the board by rule. No person may be appointed to the committee under this subdivision unless the person is knowledgeable or experienced in the individual's academic field or in a substantially similar academic field. No member of the committee appointed under this subdivision may be a member of the academic department, or its functional equivalent, that made the negative recommendation. The committee appointed under this subdivision may not base its tenure recommendation upon impermissible factors, as defined by the board by rule.

(c) A tenure appointment may be granted to any ranked faculty member who holds or will hold a half-time appointment or more. The proportion of time provided for in the appointment may not be diminished nor increased without the mutual consent of the faculty member and the institution subject only to sub. (9) and s. 36.21.

(d) A probationary appointment shall not exceed 7 consecutive academic years in a full-time position in an institution. A leave of absence, sabbatical or a teacher improvement assignment does not constitute a break in continuous service and shall not be included in the 7-year period. The board may promulgate rules specifying additional circumstances that do not constitute a break in continuous service and that shall not be included in the 7-year period.

(3) Rules. The board and its several faculties after consultation with appropriate students shall promulgate rules for tenure and probationary appointments, for the review of faculty performance and for the nonretention and dismissal of faculty members. Such rules shall be promulgated under ch. 227.

(4) Continuation of appointment.

(a) Any person who holds a tenure appointment under ch. 36, 1971 stats. and ch. 37, 1971 stats., and related rules on July 9, 1974 shall continue to hold tenure as defined under those chapters and related rules.

(b) Any person who holds the equivalent of a probationary appointment under ch. 36, 1971 stats. and ch. 37, 1971 stats., and related rules on July 9, 1974 shall continue to enjoy the contractual rights and guarantees as defined under those chapters and related rules, and may elect to be considered for tenure according to the procedures existing under that appointment or under sub. (2).

(c) Any person who is not a ranked faculty member on August 15, 1991, and who is also described under subd. 1. or 2. shall be treated as a faculty member with the rank of associate professor for all purposes:

1. Any person who held an unranked faculty tenure appointment or unranked faculty concurrent tenure appointment under ch. 37, 1971 stats., prior to July 10, 1974.
2. Any person who held an unranked probationary appointment under ch. 37, 1971 stats., prior to July 10, 1974, and who subsequently received an unranked faculty tenure appointment or unranked faculty concurrent tenure appointment.

(5) Procedural guarantees. Any person having tenure may be dismissed only for just cause and only after due notice and hearing. Any person having a probationary appointment may be dismissed prior to the end of the person's contract term only for just cause and only after due notice and hearing. The action and decision of the board in such matters shall be final, subject to judicial review under ch. 227. The board and its several faculties shall develop procedures for the notice and hearing which shall be promulgated by rule under ch. 227.

(6) Limitation. Tenure and probationary appointments are in a particular institution. A tenure appointment is limited to the institution in which the appointment is held.

History: 1973 c. 335; 1983 a. 189; 1985 a. 332 s. 251 (1); 1987 a. 403 s. 256; 1989 a. 31; 1991 a. 39, 118.


Board did not have authority to grant tenure without affirmative recommendation of academic department under (1) (b). Trojan v. Univ. Wis. Regents Bd. 128 W (2d) 270, 382 NW (2d) 75 (Ct. App. 1985).
Selected Excerpts from the Wisconsin Statutes

This section specifically authorizes the board of regents to adopt termination procedures and the board has adopted administrative rules that lay out the process to be applied in faculty dismissal cases. White sub. (5) provides that dismissal decisions are reviewed under ch. 227, other provisions of ch. 227 do not apply to faculty dismissal cases and the administrative rules do.

Under 37.31, Stats. 1971, the faculty acquires tenure in the system as distinct from tenure at one particular institution within the system. 60 Atty. Gen. 116.

A nontenured teacher who is not rehired has no constitutional right to a statement of the reason for not renewing his contract nor to a hearing on the matter. Board of Regents v. Roth, 408 US 564.

36.14  Wisconsin distinguished professorships.

(1) The board may establish distinguished professorships under this section.

(2) The board may pay under this section the salary and fringe benefit costs of the professor holding the distinguished professorship and of any graduate assistant assigned to the professor, and the equipment, supplies and travel costs of the professor and the graduate assistants assigned to the professor.

(3) The board may pay the costs specified under only from the appropriations under s. 20.285 (1) (a), (am) and (jm). The board may pay any of the costs specified under sub. 2 from the appropriation under s. 20.285 (1) (jm). The board may pay from the appropriation under s. 20.285 (1) (am) only the salary and fringe benefit costs of the professor but may not pay more than 50% of those costs from that appropriation. Annually the board shall report to the department of administration all expenditures from the appropriation under s. 20.285 (1) (a) made for the purposes of this section.

(4) The board shall ensure that at least 3 of the professors awarded distinguished professorships under this section after August 9, 1989, are not employed by the board when they are awarded the professorships.


36.15  Academic staff appointments.

(1) Definitions. In this section:

(a) "Administrative Appointment" means an academic staff appointment for a fixed or indefinite term granted to a system, campus, college, school or other divisional officer involved in policy development or execution and to persons involved in directing, organizing or supervising higher education related activities.

(b) "Professional appointment" means an academic staff appointment for a fixed or indefinite term granted to a professional employee who is involved in the guidance or counseling of students, assisting the faculty in research, public service or in the instruction of students or who is involved in other professional duties which are primarily associated with institutions of higher education; including, but not limited to, such employment titles as visiting faculty, clinical staff, lecturer, scientist, specialist and such other equivalent titles as the board approves.

(2) Appointments. Appointments under this section shall be made by the board, or by an appropriate official authorized by the board, under policies and procedures established by the board and subject to s. 36.09 (1) (f). The policies for indefinite appointments shall provide for a probationary period, permanent status and such other conditions of appointment as the board establishes.

(2m) Librarian appointments. If in any institution all professional librarians with appropriate graduate degrees as determined in accordance with that institution's policies, have formerly been ranked faculty, all present and future appointments of professional librarians with appropriate graduate degrees in such institution shall be as ranked faculty, except in those institutions where the chancellor and faculty designate that such appointments shall be as academic staff.

(3) Procedural guarantees. A person having an academic staff appointment for a term may be dismissed prior to the end of the appointment term only for just cause and only after due notice and hearing. A person having an academic staff appointment for an indefinite term who has attained permanent status may be dismissed only for just cause and only after due notice and hearing. In such matters the action and decision of the board, or the appropriate official authorized by the board, shall be final, subject to judicial review under ch. 227. The board shall develop procedures for notice and hearing which shall be promulgated as rules under ch. 227.


36.17  Limited appointments.

(1) An appointment to a position listed in sub. (2) shall be a limited appointment and the appointment shall be at the pleasure of the board. A person holding a tenured or academic staff appointment under ss. 36.13 and 36.15 shall not lose that appointment by accepting a limited appointment.

(2) Limited appointments apply to the following positions: president, provost, vice president, associate vice president, assistant vice president, chancellor, vice chancellor, associate chancellor, assistant chancellor, associate vice chancellor, assistant vice chancellor, college campus dean, secretary of the board, associate secretary of the board, assistant secretary of the board, trust officer and assistant trust officer and such other administrative positions as the board determines at the time of the appointment.


36.19  Other appointments.
The board may make or authorize fixed term appointments for student assistants and employees in training, such as residents, interns, post-doctoral fellows or trainees or associates. Appointments made under this section shall not be subject to ss. 36.13 and 36.15.

History: 1973 c. 335.

36.21 Lapse of appointments.

Notwithstanding ss. 36.13 (4) and 36.15, the board may, with appropriate notice, terminate any faculty or academic staff appointment when a financial emergency exists. No person may be employed at the institution within 2 years to perform reasonably comparable duties to those of the person whose appointment was terminated without first offering such person a reappointment. The board, after consultation with the faculty and chancellor of each institution, shall adopt procedures to be followed in the event of termination under this section.

History: 1973 c. 335.

36.23 Conflict of interest.

No regent or officer or other person appointed or employed in any position in the system may at any time act as agent for any person or organization where such act would create a conflict of interest with the terms of the person's service in the system. The board shall define conflicts of interest and promulgate rules related thereto.

History: 1973 c. 335; 1985 a. 332 s. 251 (1).

A regent of the University of Wisconsin is not precluded by law from attending the university as a student or from receiving a degree from the university, but he must guard against and refrain from any possible conflict of interest. 58 Atty. Gen. 158.
Section 19.31, Wisconsin Statutes {Open Records Law}

19.31 Declaration of policy.

In recognition of the fact that a representative government is dependent upon an informed electorate, it is declared to be the public policy of this state that all persons are entitled to the greatest possible information regarding the affairs of government and the official acts of those officers and employees who represent them. Further, providing persons with such information is declared to be an essential function of a representative government and an integral part of the routine duties of officers and employees whose responsibility it is to provide such information. To that end, ss. 19.32 to 19.37 shall be construed in every instance with a presumption of complete public access, consistent with the conduct of governmental business. The denial of public access generally is contrary to the public interest, and only in an exceptional case may access be denied.

History: 1981 c. 335, 391.

An agency cannot promulgate an administrative rule which creates an exception to the open records law. Chavala v. Bubolz, 204 W 2d 82, 552 NW 2d 892 (Ct. App. 1996).


19.32 Definitions.

As used in ss. 19.33 to 19.39:

(1) "Authority" means any of the following having custody of a record: a state or local office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; a governmental or quasi-governmental corporation except for the Bradley center and sports and entertainment corporation; a local exposition district under subch. II of ch. 229; a family care district under s. 46.2895; any court of law; the assembly or senate; a nonprofit corporation which receives more than 50% of its funds from a county or a municipality, as defined in s. 59.001 (3), and which provides services related to public health or safety to the county or municipality; a nonprofit corporation operating the Olympic ice training center under s. 42.11 (3); or a formally constituted subunit of any of the foregoing.

(1bg) "Employee" means any individual who is employed by an authority, other than an individual holding local public office or a state public office, or any individual who is employed by an employer other than an authority.

(1de) "Local governmental unit" has the meaning given in s. 19.42 (7u).

(1dm) "Local public office" has the meaning given in S. 19.42 (7w), and also includes any appointive office or position of a local governmental unit in which an individual serves as the head of a department, agency, or division of the local it, but does not include any office or position filled by a municipal employee, as defined in s. 111.70 (1) (i).

(1m) "Person authorized by the individual" means the parent, guardian, as defined in s. 48.02 (8), or legal custodian, as defined in s. 48.02 (11), of a child, as defined in s. 48.02 (2), the guardian, as defined in s. 880.01 (3), of an individual adjudged incompetent, as defined in s. 880.01 (4), the personal representative or spouse of an individual who is deceased or any person authorized, in writing, by the individual to exercise the rights granted under this section.

(1r) "Personally identifiable information" has the meaning specified in s. 19.62 (5).

(2) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), computer printouts and optical disks. "Record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or request; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

(2g) "Record subject" means an individual about whom personally identifiable information is contained in a record.

(3) "Requester" means any person who requests inspection or copies of a record, except an incarcerated person, unless the person requests inspection or copies of a record that contains specific references to that person or his or her minor children for whom he or she has not been denied physical placement under ch. 767, and the record is otherwise accessible to the person by law.
(4) "State public office" has the meaning given in s. 19.42 (13), but does not include a position identified in s. 20.923 (6).

(f) to (gm).


NOTE: 2003 Wis. Act 47, which affects this section, contains extensive explanatory notes. A study commissioned by the corporation counsel and used in various ways was not a "draft" under sub. (2), although it was not in final form. A document prepared other than for the originator's personal use, although in preliminary form or marked "draft," is a record. Fox v. Bock, 149 Wis. 2d 403, 438, 438 N.W. 3d 589 (1989)

A settlement agreement containing a pledge of confidentiality kept in the possession of a school district's attorney was a public record subject to public access. Journal/Sentinel v. Shorewood School Bd. 186 W2d 443, 521 NW (2d) 165 (Ct. App. 1994).

A nonprofit corporation that receives 50% of its funds from a municipality or county is an authority under sub. (1) regardless of the source from which the municipality or county obtained those funds. Davey v. Walrath, 229 Wis. 2d 105, 598 N.W. 2d 240 (Ct. App. 1999), 98-0072.

NOTE: 2003 Wis. Act 47, which affects this section, contains extensive explanatory notes. A study commissioned by the corporation counsel and used in various ways was not a "draft" under sub. (2), although it was not in final form. A document prepared other than for the originator's personal use, although in preliminary form or marked "draft," is a record. Fox v. Bock, 149 Wis. 2d 403, 438, 438 N.W. 3d 589 (1989)

"Records" must have some relation to functions of agency. 72 Atty. Gen. 99.

Treatise on drafts under the public records law discussed. 77 Atty. Gen. 100.


19.33 Legal custodians.

(1) An elected official is the legal custodian of his or her records and the records of his or her office, but the official may designate an employee of his or her staff to act as the legal custodian.

(2) The chairperson of a committee of elected officials, or the designee of the chairperson, is the legal custodian of the records of the committee.

(3) The co-chairpersons of a joint committee of elected officials, or the designee of the co-chairpersons, are the legal custodians of the records of the joint committee.

(4) Every authority not specified in subs. (1) to (3) shall designate in writing one or more positions occupied by an officer or employee of the authority or the unit of government of which it is a part as a legal custodian to fulfill its duties under this subchapter. In the absence of a designation the authority's highest ranking officer and the chief administrative officer, if any, are the legal custodians for the authority. The legal custodian shall be vested by the authority with full legal power to render decisions and carry out the duties of the authority under this subchapter. Each authority shall provide the name of the legal custodian and a description of the nature of his or her duties under this subchapter to all employees of the authority entrusted with records subject to the legal custodian's supervision.

(5) Notwithstanding sub. (4), if an authority specified in sub. (4) or the members of such an authority are appointed by another authority, the appointing authority may designate a legal custodian for records of the authority or members of the authority appointed by the appointing authority, except that if such an authority is attached for administrative purposes to another authority, the authority performing administrative duties shall designate the legal custodian for the authority for whom administrative duties are performed.

(6) The legal custodian of records maintained in a publicly owned or leased building or the authority appointing the legal custodian shall designate one or more deputies to act as legal custodian of such records in his or her absence or as otherwise required to respond to requests as provided in s. 19.35 (4). This subsection does not apply to members of the legislature or to members of any local governmental body.

(7) The designation of a legal custodian does not affect the powers and duties of an authority under this subchapter.

(8) No elected official of a legislative body has a duty to act as or designate a legal custodian under sub. (4) for the records of any committee of the body unless the official is the highest ranking officer or chief administrative officer of the committee or is designated the legal custodian of the committee's records by rule or by law.

History: 1981 c. 335.

19.34 Procedural information.

(1) Each authority shall adopt, prominently display and make available for inspection and copying at its offices, for the guidance of the public, a notice containing a description of its organization and the established times and places at which, the legal custodian under s. 19.33 from whom, and the methods whereby, the public may obtain information and access to records in its custody, make requests for records, or obtain copies of records, and the costs thereof. This subsection does not apply to members of the legislature or to members of any local governmental body.

(2) (a) Each authority which maintains regular office hours at the location where records in the custody of the authority are kept shall permit access to the records of the authority at all times during those office hours, unless otherwise specifically authorized by law.

(b) Each authority which does not maintain regular office hours at the location where records in the custody of the authority are kept shall:

1. Permit access to its records upon at least 48 hours' written or oral notice of intent to inspect or copy a record; or
2. Establish a period of at least 2 consecutive hours per week during which access to the records of the authority is permitted. In such case, the authority may require 24 hours’ advance written or oral notice of intent to inspect or copy a record.

(c) An authority imposing a notice requirement under par. (b) shall include a statement of the requirement in its notice under sub. (1), if the authority is required to adopt a notice under that subsection.

(d) If a record of an authority is occasionally taken to a location other than the location where records of the authority are regularly kept upon one business day’s notice, the authority or legal custodian of the record need not provide access to the record at the occasional location.

19.345 Time computation. In ss. 19.33 to 19.39, when a time period is provided for performing an act, whether the period is expressed in hours or days, the whole of Saturday, Sunday, and any legal holiday, from midnight to midnight, shall be excluded in computing the period.

19.35 Access to records; fees.

(1) Right to inspection.

(a) Except as otherwise provided by law, any requester has a right to inspect any record. Substantive common law principles construing the right to inspect, copy or receive copies of records shall remain in effect. The exemptions to the requirement of a governmental body to meet in open session under s. 19.85 are indicative of public policy, but may be used as grounds for denying public access to a record only if the authority or legal custodian under s. 19.33 makes a specific demonstration that there is a need to restrict public access at the time that the request to inspect or copy the record is made.

(1)(am) In addition to any right under par. (a), any requester who is an individual or person authorized by the individual, has a right to inspect any record containing personally identifiable information pertaining to the individual that is maintained by an authority and to make or receive a copy of any such information. The right to inspect or copy a record under this paragraph does not apply to any of the following:

1. Any record containing personally identifiable information that is collected or maintained in connection with a complaint, investigation or other circumstances that may lead to an enforcement action, administrative proceeding, arbitration proceeding or court proceeding, or any such record that is collected or maintained in connection with such an action or proceeding.

2. Any record containing personally identifiable information that, if disclosed, would do any of the following:

a. Endanger an individual's life or safety.

b. Identify a confidential informant.

c. Endanger the security, including the security of the population or staff, of any state prison under s. 301.01, jail, as defined in s. 165.65 (2) (bg), juvenile correctional facility, as defined in s. 938.02 (10p), secured residential care center for children and youth, as defined in s. 938.02 (15g), mental health institute, as defined in s. 51.01 (12), center for the developmentally disabled, as defined in s. 51.01 (3), or facility, specified under s. 980.065, for the institutional care of sexually violent persons

d. Compromise the rehabilitation of a person in the custody of the department of corrections or detained in a jail or facility identified in subd. 2. c.

3. Any record that is part of a records series, as defined in s. 19.62 (7), that is not indexed, arranged or automated in a way that the record can be retrieved by the authority maintaining the records series by use of an individual's name, address or other identifier.

(b) Except as otherwise provided by law, any requester has a right to inspect a record and to make or receive a copy of a record which appears in written form. If a requester appears personally to request a copy of a record, the authority having custody of the record may, at its option, permit the requester to photocopy the record or provide the requester with a copy substantially as readable as the original.

(c) Except as otherwise provided by law, any requester has a right to receive from an authority having custody of a record which is in the form of a comprehensible audio tape recording a copy of the tape recording substantially as audible as the original. The authority may instead provide a transcript of the recording to the requester if he or she requests.

(d) Except as otherwise provided by law, any requester has a right to receive from an authority having custody of a record which is in the form of a video tape recording a copy of the tape recording substantially as good as the original.

(e) Except as otherwise provided by law, any requester has a right to receive from an authority having custody of a record which is not in a readily comprehensible form a copy of the information contained in the record assembled and reduced to written form on paper.

(em) If an authority receives a request to inspect or copy a record that is in handwritten form or a record that is in the form of a voice recording which the authority is required to withhold or from which the authority is required to de-
Selected Excerpts from the Wisconsin Statutes

(a) Each authority shall provide to the requester, upon his or her request, a transcript of the record or the information contained in the record if the record or information is otherwise subject to public inspection and copying under this subsection.

(f) Except as otherwise provided by law, any requester has a right to inspect any record not specified in pars. (b) to (e) the form of which does not permit copying. If a requester requests permission to photograph the record, the authority having custody of the record may permit the requester to photograph the record. If a requester requests that a photograph of the record be provided, the authority shall provide a good quality photograph of the record.

(g) Paragraphs (a) to (c), (e) and (f) do not apply to a record which has been or will be promptly published with copies offered for sale or distribution.

(h) A request under pars. (a) to (f) is deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. A request may be made orally, but a request must be in writing before an action to enforce the request is commenced under s. 19.37.

(i) Except as authorized under this paragraph, no request under pars. (a) and (b) to (f) may be refused because the person making the request is unwilling to be identified or to state the purpose of the request. Except as authorized under this paragraph, no request under pars. (a) to (f) may be refused because the request is received by mail, unless prepayment of a fee is required under sub. (3)(f). A requester may be required to show acceptable identification whenever the requested record is kept at a private residence or whenever security reasons or federal law or regulations so require.

(j) Notwithstanding pars. (a) to (f), a requester shall comply with any regulations or restrictions upon access to or use of information which are specifically prescribed by law.

(k) Notwithstanding pars. (a) , (am), (b) and (f), a legal custodian may impose reasonable restrictions on the manner of access to an original record if the record is irreplaceable or easily damaged.

(l) Except as necessary to comply with pars. (c) to (e) or s. 19.36 (6), this subsection does not require an authority to create a new record by extracting information from existing records and compiling the information in a new format.

(2) Facilities. The authority shall provide any person who is authorized to inspect or copy a record under sub. (1) (a), (am), (b) or (f) with facilities comparable to those used by its employees to inspect, copy and abstract the record during established office hours. An authority is not required by this subsection to purchase or lease photocopying, duplicating, photographic or other equipment or to provide a separate room for the inspection, copying or abstracting of records.

(3) Fees.

(a) An authority may impose a fee upon the requester of a copy of a record which may not exceed the actual, necessary and direct cost of reproduction and transcription of the record, unless a fee is otherwise specifically established or authorized to be established by law.

(b) Except as otherwise provided by law or as authorized to be prescribed by law an authority may impose a fee upon the requester of a copy of a record that does not exceed the actual, necessary and direct cost of photographing and photographic processing if the authority provides a photograph of a record, the form of which does not permit copying.

(c) Except as otherwise provided by law or as authorized to be prescribed by law, an authority may impose a fee upon a requester for locating a record, not exceeding the actual, necessary and direct cost of location, if the cost is $50 or more.

(d) An authority may impose a fee upon a requester for the actual, necessary and direct cost of mailing or shipping of any copy or photograph of a record which is mailed or shipped to the requester.

(e) An authority may provide copies of a record without charge or at a reduced charge where the authority determines that waiver or reduction of the fee is in the public interest.

(f) An authority may require prepayment by a requester of any fee or fees imposed under this subsection if the total amount exceeds $5. If the requester is a prisoner, as defined in s. 301.01 (2), or is a person confined in a federal correctional institution located in this state, and he or she has failed to pay any fee that was imposed by the authority for a request made previously by that requester, the authority may require prepayment both of the amount owed for the previous request and the amount owed for the current request.

(4) Time for compliance and procedures.

(a) Each authority, upon request for any record, shall, as soon as practicable and without delay, either fill the request or notify the requester of the authority’s determination to deny the request in whole or in part and the reasons therefore.

(b) If a request is made orally, the authority may deny the request orally unless a demand for a written statement of the reasons denying the request is made by the requester within 5 business days of the oral denial. If an authority denies a written request in whole or in part, the requester shall receive from the authority a written statement of the reasons for denying the written request. Every written denial of a request by an authority shall inform the
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requester that if the request for the record was made in writing, then the determination is subject to review by mandamus under s. 19.37 (1) or upon application to the attorney general or a district attorney.

(c) If an authority receives a request under sub. (1) (a) or (am) from an individual who identifies himself or herself and states that the purpose of the request is to inspect or copy a record containing personally identifiable information pertaining to the individual that is maintained by the authority, the authority shall deny or grant the request in accordance with the following procedure:

1. The authority shall first determine if the requester has a right to inspect or copy the record under sub. (1) (a).
2. If the authority determines that the requester has a right to inspect or copy the record under sub. (1) (a), the authority shall grant the request.
3. If the authority determines that the requester does not have a right to inspect or copy the record under sub. (1) (a), the authority shall then determine if the requester has a right to inspect or copy the record under sub. (1) (am) and grant or deny the request accordingly.

(5) Record destruction. No authority may destroy any record at any time after the receipt of a request for inspection or copying of the record under sub. (1) until after the request is granted or until at least 60 days after the date that the request is denied or, if the requester is a committed or incarcerated person, until at least 90 days after the date that the request is denied. If an authority receives written notice that an action relating to a record has been commenced under s. 19.37, the record may not be destroyed until after the order of the court in relation to such record is issued and the deadline for appealing that order has passed, or, if appealed, until after the order of the court hearing the appeal is issued. If the court orders the production of any record and the order is not appealed, the record may not be destroyed until after the request for inspection or copying is granted.

(6) Elected official responsibilities. No elected official is responsible for the record of any other elected official unless he or she has possession of the record of that other official.


A mandamus petition to inspect a county hospital’s statistical, administrative, and other records not identifiable with individual patients, states a cause of action under this section. State ex rel. Dalton v. Mundy, 80 Wis. 2d 190, 257 N.W. 2d 877 (1977).


This section is a statement of the common law rule that public records are open to public inspection subject to common law limitations. Section 59.14 (now 59.20 (3)) is a legislative declaration granting persons who come under its coverage an absolute right of inspection subject only to reasonable administrative regulations. State ex rel. Bilder v. Town of Delavan, 112 Wis. 2d 539, 334 N.W. 2d 252 (1983).

A newspaper had the right to intervene to protect its right to examine sealed court files. State ex rel. Bilder v. Town of Delavan 112 Wis. 2d 539, 334 N.W. 2d 252 (1983).

Although meeting was properly closed, in order to refuse inspection of meeting records custodian was required by (1) (a) to state specific and sufficient public policy reasons why public interest in nondisclosure outweighed public’s right of inspection. Oshkosh Northwestern Co. v. Oshkosh Library Bd. 125 W. 2d 480, 373 NW (2d) 459 (Cl. App. 1985).

Courts must apply the open records balancing test to questions involving disclosure of court records. The public interests favoring secrecy must outweigh those favoring disclosure. C.L. v. Edson, 140 Wis. 2d 168, 409 N.W. 2d 417 (Cl. App. 1987).

Public records germane to pending litigation were available under this section even though discovery cutoff deadline had passed. State ex rel. Lank v. Rzentkowski, 141 W. 2d 846, 416 NW (2d) 635 (Cl. App. 1987).

To up hold custodian’s denial of access, appellate court will inquire whether trial court made a factual determination supported by record of whether documents impair secrecy interest, and, if so, whether secrecy interest outweighs release interest. Milwaukee Journal v. Call, 153 W. 2d 313, 450 NW (2d) 515 (Cl. App. 1989).

That releasing records would reveal confidential informant’s identity was legally specific reason for denial of records request; public interest in revealing informant’s identity outweighed public interest in disclosure of records. Mayfair Chrysler-Plymouth v. Baldarotta, 162 W. 2d 142, 469 NW (2d) 638 (1991).

Items subject to examination under 346.70 (4) (f) may not be withheld by prosecution under common law rule that investigative material may be withheld from criminal defendant. State ex rel. Young v. Shaw, 165 W. 2d 276, 477 NW (2d) 340 (Cl. App. 1991).

Prosecutor’s files are exempt from public access under common law. State ex rel. Richards v. Foust, 165 W. 2d 429, 477 NW (2d) 608 (1991).

Records relating to pending claims against state under 893.82 need not be disclosed under 19.35; records of non-pending claims must be disclosed unless an in camera inspection reveals attorney client privilege would be violated. George v. Record Custodian, 169 W. 2d 573, 485 NW (2d) 460 (Cl. App. 1992).

The public records law confers no exemption as of right on indigents from payment of fees under (3). George v. Record Custodian, 169 W. 2d 573, 485 NW (2d) 460 (Cl. App. 1992).
A settlement agreement containing a pledge of confidentiality and kept in the possession of a school district’s attorney was a public record subject to public access under sub. (3). Journal/Sentinel v. School district of Shorewood, 186 Wis. 2d 443, 521 N.W. 2d 165 (Ct. App. 1994).

The denial of prisoner’s information request regarding illegal behavior by guards on the grounds that it could compromise the guards’ effectiveness and subject them to harassment was insufficient. State ex. rel. Ledford v. Turcotte, 195 Wis. 2d 244, 536 N.W. (2d) 130 (Ct. App. 1995), 94-2710.

The amount of prepayment required for copies may be based on a reasonable estimate. State ex rel. Hill v. Zimmerman, 196 W (2d) 419, 538 NW (2d) 608 (Ct. App. 1995), 94-1861.

The Foust decision does not automatically exempt all records stored in a closed prosecutorial file. The exemption is limited to material actually pertaining to the prosecution. Nichols v. Bennett, 199 W (2d) 268, 544 NW (2d) 428 (1996), 93-2480.

Department of Regulation and Licensing test scores were subject to disclosure under the open records law. Munroe v. Braatz, 201 W (2d) 442, 549 NW (2d) 452 (Ct. App. 1996), 95-2557.

Sub. (1) (I) and (3) (I) did not permit a demand for prepayment of $1.29 in response to a mail request for a record. Borzych v. Paluszycz, 201 W (2d) 523, 549 NW (2d) 253 (Ct. App. 1996), 95-711.

An agency cannot promulgate an administrative rule which creates an exception to the open records law. Chavala v. Bubolz, 204 W (2d) 82, 552 NW (2d) 892 (Ct. App. 1996), 92-3120.

While certain statutes grant explicit exceptions to the open records law, many statutes set out broad categories of records not open to an open records request. A custodian faced with such a broad statute must state with specificity a public policy reason for refusing to release the requested record. Chavala v. Bubolz, 204 W (2d) 82, 552 NW (2d) 892 (Ct. App. 1996), 95-3120.

The custodian is not authorized to comply with an open records request at some unspecified date in the future. Such a response constitutes a denial of the request. WTMJ, Inc. v. Sullivan, 204 W (2d) 452, 555 NW (2d) 125 (Ct. App. 1996), 96-0053.

Subject to the reclamation of officers’ home addresses and supervisors’ conclusions and recommendations regarding discipline, police records regarding use of deadly force are subject to public inspection. State ex rel. Journal/Sentinel, Inc. v. Arreola, 207 W (2d) 496, 558 NW (2d) 670 (Ct. App. 1996), 95-2956.

A public school student’s interim grades are pupil records specifically exempted from disclosure under s. 118.125. If records are specifically exempted from disclosure, failure to specifically state reasons for denying an open records request for those records does not compel disclosure of those records. State ex rel. Blum v. Board of Education, 209 Wis. 2d 377, 565 N.W. 2d 140 (Ct. App. 1997), 96-0758.

Requesting a copy of 180 hours of audiotape of “911” calls, together with a transcription of the tape and log of each transmission received, was a request without “reasonable limitation” and was not a “sufficient request” under sub. (1) (h). Schopper v. Gehring, 210 Wis. 2d 208, 565 N.W. 2d 187 (Ct. App. 1997), 96-2782.

If the requested information is covered by an exempting statute that does not request a balancing of public interests, there is no need for a custodian to conduct such a balancing. Written denial claiming a statutory exception by citing the specific statute or regulation is sufficient. state ex rel. Savinski v. Kimble, 221 Wis. 2d 833, 586 N.W. 2d 36 (Ct. App. 1998), 97-3356.

Protecting persons who supply information or opinions about an inmate to the parole commission is a public interest that may outweigh the public interest in access to documents that could identify those persons. State ex rel. Bergmann v. Faust, 226 Wis. 2d 273, 595 N.W.2d 75 (Ct. App. 1999), 98-2537.

The ultimate purchasers of municipal bonds from the bond’s underwriter, whose only obligation was to purchase the bonds, were not “contractor’s records under sub (3).” Machotka v. Village of West Salem, 2000 WI App 43, 233 Wis. 2d 106, 607 N.W. 2d 319, 99-1163.

Sub (1) (b) gives the record custodian, and not the requester, the choice of how a record will be copied. The requester cannot elect to use his or her own copying equipment without the custodian’s permission. Grebner v. Schiebel, 2001 WI App 17, 240 Wis 2d 551, 624 N.W. 2d 892, 00-1549.

Requests for university admissions records focusing on test scores, class rank, grade point average, race, gender, ethnicity, and socio-economic background was not a request for personally identifiable information, and release was not barred by federal law or public policy. That the requests would require the university to redact information from thousands of documents under s. 19.36 (6) did not essentially require the university to create new records and, as such, did not provide grounds for denying the request under s. 19.35 (1) (L). Osborn v. Board of Regents of the University of Wisconsin System, 2002 WI 83, 254 Wis 2d 266, 647 N.W. 2d 158, 00-2861.

The police report of a closed investigation regarding a teacher’s conduct that did not lead either to an arrest, prosecution, or any administrative disciplinary action, was subject to release. Linzmeyer v. Forcey, 2002 WI 84, 254 Wis 2d 306, 646 N.W. 2d 811, 01-0197.

The John Doe statute, s 968.26, which authorizes secrecy in John Doe proceedings, is a clear statement of legislative policy and constitutes a specific exception to the public records law. On review of a petition for write stemming from a secret John Doe proceeding, the court of appeals may seal parts of a record in order to comply with existing secrecy orders issued by the John Doe judge. Unnamed Persons Numbers 1, 2, and 3 v. State, 2003 WI 30, 260 Wis. 2d 653, 660 N. W. 2d 260, 01-3220.

Sub (1)(am) is not subject to a balancing of interests. Therefore, the exceptions to sub. (1)(am) should not be narrowly construed. A requester who does not qualify for access to records under sub. (1)(am) will always have the right to seek records under sub. (1) (a), in which case the records custodian must determine whether the requested records are subject to a statutory or common law exception, and if not whether the strong presumption favoring access and disclosure is overcome by some even
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Stronger public policy favoring limited access or nondisclosure determined by applying a balancing test. Hempel v. City of Baraboo, 2005 WI 120, 284 Wis. 2d 162, 699 N.W.2d 551, 03-0500.

Examination of birth records cannot be denied simply because the examiner has a commercial purpose. 58 Atty. Gen. 67.

Consideration of a resolution is a formal action of an administrative or minor governing body. When taken in a proper closed session, the resolution and result of the vote must be made available for public inspection absent a specific showing that the public interest would be adversely affected. 60 Atty. Gen. 9.

Inspection of public records obtained under official pledges of confidentiality may be denied if: 1) a clear pledge has been made in order to obtain the information; 2) the pledge was necessary to obtain the information; and 3) the custodian determines that the harm to the public interest resulting from inspection would outweigh the public interest in full access to public records. The custodian must permit inspection of information submitted under an official pledge of confidentiality if the official or agency had specific statutory authority to require its submission, 60 Atty. Gen 284.

The right to inspection and copying of public records in decentralized offices is discussed. 61 Atty. Gen. 12.

Public records subject to inspection and copying by any person would include a list of students awaiting a particular program in a VTAE (technical college) district school. 61 Atty. Gen. 297.

The investment board can only deny members of the public from inspecting and copying portions of the minutes relating to the investment of state funds and documents pertaining thereto on a case-by-case basis if valid reasons for denial exist and are specially stated. 61 Atty. Gen. 361.

Matters and documents in the possession or control of school district officials containing information concerning the salaries, including fringe benefits, paid to individuals teachers are matters of public record. 62 Atty. Gen. 143.

The scope of the duty of the governor to allow members of the public to examine and copy public records in his custody is discussed. 63 Atty. Gen. 400.

The public’s right to inspect land acquisition files of the department of natural resources is discussed. 63 Atty. Gen. 573.

Financial statements filed in connection with applications for motor vehicle dealers’ and motor vehicle salvage dealers’ licenses are public records, subject to limitations. 66 Atty. Gen. 302.

Sheriff’s radio logs, intradepartmental documents kept by the sheriff, and blood test records of deceased automobile drivers in the hands of the sheriff are public records, subject to limitations. 67 Atty. Gen. 12.

Copy computer-stored information is discussed. 68 Atty. Gen. 231.

After the transcript of court proceedings is filed with the clerk of court, any person may examine or copy the transcript. 68 Atty. Gen. 313.

A custodian may not require a requester to pay the cost of an unrequested certification. Unless the fee for copies of records is established by law, a custodian may not charge more than the actual and direct cost of reproduction. 72 Atty. Gen. 36.

Copying fee but not location fee may be imposed on requester for cost of computer run. 72 Atty. Gen. 68.

The fee for copying public records discussed. 72 Atty. Gen. 150.

Public records relating to employee grievances are not generally exempt from disclosure. Nondisclosure must be justified on case-by-case basis. 73 Atty. Gen. 20.

The disclosure of employee’s birth date, sex, ethnic heritage and handicapped status discussed. 73 Atty. Gen. 26.

The department of regulation and licensing may refuse to disclose records relating to complaints against health care professionals while the matters are merely “under investigation”; good faith disclosure of same will not expose custodian to liability for damages; prospective continuing requests for records are not contemplated by public records law. 73 Atty. Gen. 37.

Prosecutors’ case files are exempt from disclosure. 74 Atty. Gen. 4.


Ambulance records relating to medical history, condition, or treatment are confidential while other ambulance call records are subject to disclosure under the public records law. 78 Atty. Gen. 4.

Courts are likely to require disclosure of legislators’ mailing and distribution lists absent a factual showing that the public interest in withholding the records outweighs the public interest in their release. OAG 2-03.

If a legislator custodian decides that a mailing or distribution list compiled and used for official purposes must be released under the public records statute, the persons whose names, addresses or telephone numbers are contained on the list are not entitled to notice and the opportunity to challenge the decision prior to release of the record. OAG 2-03.


19.356 Notice to record subject; right of action.

(1) Except as authorized in this section or as otherwise provided by statute, no authority is required to notify a record subject prior to providing to a requester access to a record containing information pertaining to that record subject,
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and no person is entitled to judicial review of the decision of an authority to provide a requester with access to a rec-

(2) (a) Except as provided in pars. (b) and (c) and as otherwise authorized or required by statute, if an authority decides
under s. 19.35 to permit access to a record specified in this paragraph, the authority shall, before permitting access
and within 3 days after making the decision to permit access, serve written notice of that decision on any record sub-
ject to whom the record pertains, either by certified mail or by personally serving the notice on the record subject. The
notice shall briefly describe the requested record and include a description of the rights of the record subject under
subs. (3) and (4). This paragraph applies only to the following records:

1. A record containing information relating to an employee that is created of kept by the authority and that is the re-
sult of an investigation into a disciplinary matter involving the employee or possible employment-related violation
by the employee of a statute, ordinance, rule, regulation, or policy of the employee’s employer.

2. A record obtained by the authority through a subpoena or search warrant.

3. A record prepared by an employer other than an authority, if that record contains information relating to an em-
ployee of that employer, unless the employee authorizes the authority to provide access to that information.

(b) Paragraph (a) does not apply to an authority who provides access to a record pertaining to an employee to the
employee who is the subject of the record or to his or her representative to the extent required under s. 103.13
or to a recognized or certified collective bargaining representative to the extent required to fulfill a duty to bargain
or pursuant to a collective bargaining agreement under ch. 111.

(c) Paragraph (a) does not apply to access to a record produced in relation to a function specified in s. 106.54 or
230.45 or subch. 11 or ch. 111 if the record is provided by an authority having responsibility for that function.

(3) Within 5 days after receipt of a notice under sub. (2) (a), a record subject may provide written notification to the au-
thority of his or her intent to seek a court order restraining the authority from providing access to the requested record.

(4) Within 10 days after receipt of a notice under sub. (2) (a), a record subject may commence an action seeking a court
order to restrain the authority from providing access to the requested record. If a record subject commences such an
action, the record subject shall name the authority as a defendant. Notwithstanding s. 803.09, the requester may in-
tervene in the action as a matter of right. If the requester does not intervene in the action, the authority shall notify the
requester of the results of the proceedings under this subsection and sub. (5).

(5) An authority shall not provide access to a requested record within 12 days of sending a notice pertaining to that rec-
order under sub. (2) (a). In addition, if the record subject commences an action under sub. (4), the authority shall not
provide access to the requested record during pendency of the action. If the record subject appeals or petitions for re-
view of a decision of the court or the time for appeal or petition for review of a decision adverse to the record subject
has not expired, the authority shall not provide access to the requested record until any appeal is decided, until the
period for appealing or petitioning for review expires, until a petition for review is denied, or until the authority receives
written notice from the record subject that an appeal or petition for review will not be filed, whichever occurs first.

(6) The courts, in an action commenced under sub. (4), may restrain the authority from providing access to the requested
record. the court shall apply substantive common law principles construing the right to inspect, copy, or receive cop-
ies of records in making its decision.

(7) The court, in an action commenced under sub. (4), shall issue a decision within 10 days after filing of the summons
and complaint and proof of service of the summons and complaint upon the defendant, unless a party demonstrates
cause for extension of this period. In any event, the court shall issue a decision within 30 days after those filings are
complete.

(8) If a party appeals a decision of the court under sub. (7), the court of appeals shall grant precedence to the appeal
over all other matters not accorded similar precedence by law. an appeal shall be taken within the time period speci-
fied in x. 808.04 (1m).

(9) (a) Except as otherwise authorized or required by statute, if an authority decides under s. 19.35 to permit access to a
record containing information relating to a record subject who is an officer or employee of the authority holding a local
public office or a state public office, the authority shall, before permitting access and within 3 days after making the
decision to permit access, serve written notice of that decision on the record subject, either by certified mail or by per-
sonally serving the notice on the record subject. The notice shall briefly describe the requested record and include a
description of the rights of the record subject under par. (b).

(b) Within 5 days after receipt of a notice under par. (a), a record subject may augment the record to be released
with written comments and documentation selected by the record subject. Except as otherwise authorized or re-
quired by statute, the authority under par. (a) shall release the record as augmented by the record subject.

History: 2003 a. 47.

NOTE: 2003 Wis. Act 47, which creates this section, contains extensive explanatory notes.

The right of a public employee to obtain de novo judicial review of an authority’s decision to allow public access to certain rec-
ords granted by this section is no broader than the common law right previously recognized. It is not a right to prevent disclo-
sure solely on the basis of a public employee’s privacy and reputational interests. The public’s interest in not injuring the reputa-
tions of public employees must be given due consideration, but it is not controlling. Local 2489 v. Rock County, 2004 WI app
210, 277 Wis. 2d 208, 689 N.W.2d 644, 03-3101.
19.36 Limitations upon access and withholding.

(1) Application of other laws. Any record which is specifically exempted from disclosure by state or federal law or authorized to be exempted from disclosure by state law is exempt from disclosure under s. 19.35 (1), except that any portion of that record which contains public information is open to public inspection as provided in sub. (6).

(2) Law enforcement records. Except as otherwise provided by law, whenever federal law or regulations require or as a condition to receipt of aids by this state require that any record relating to investigative information obtained for law enforcement purposes be withheld from public access, then that information is exempt from disclosure under s. 19.35 (1).

(3) Contractors’ records. Subject to sub. (12), each authority shall make available for inspection and copying under s. 19.35 (1) any record produced or collected under a contract entered into by the authority with a person other than an authority to the same extent as if the record were maintained by the authority. This subsection does not apply to the inspection or copying of a record s. 19.35 (1) (am).

(4) Computer programs and data. A computer program, as defined in s. 16.971 (4) (c) is not subject to examination or copying under s. 19.35 (1), but the material used as input for a computer program or the material produced as a product of the computer program is subject to the right of examination and copying, except as otherwise provided in s. 19.35 or this section.

(5) Trade secrets. An authority may withhold access to any record or portion of a record containing information qualifying as a trade secret as defined in s. 134.90 (1) (c).

(6) Separation of information. If a record contains information that is subject to disclosure under s. 19.35 (1) (a) or (am) and information that is not subject to such disclosure, the authority having custody of the record shall provide the information that is subject to disclosure and delete the information that is not subject to disclosure from the record before release.

(7) Identities of applicants for public positions.

(a) In this section, “final candidate” means each applicant for a position who is seriously considered for appointment or whose name is certified for appointment and whose name is submitted for final consideration to an authority for appointment to any state position, except a position in the classified service, or to any local public office. “Final candidate” includes, whenever there are at least 5 candidates for an office or position, each of the 5 candidates who are considered most qualified for the office or position by an authority, and whenever there are less than 5 candidates for an office or position, each such candidate. Whenever an appointment is to be made from a group of more than 5 candidates, “final candidate” also includes each candidate in the group.

(b) Every applicant for a position with any authority may indicate in writing to the authority that the applicant does not wish the authority to reveal his or her identity. Except with respect to an applicant whose name is certified for appointment to a position in the state classified service or a final candidate, if an applicant makes such an indication in writing, the authority shall not provide access to any record related to the application that may reveal the identity of the applicant.

(8) Identities of law enforcement informants.

(a) In this subsection:

1. “Informant” means an individual who requests confidentiality from a law enforcement agency in conjunction with providing information to that agency or, pursuant to an express promise of confidentiality by a law enforcement agency or under circumstances in which a promise of confidentiality would reasonably be implied, provides information to a law enforcement agency or is working with a law enforcement agency to obtain information, related in any case to any of the following:

   a. Another person who the individual or the law enforcement agency suspects has violated, is violating or will violate a federal law, a law of any state or an ordinance of any local government.

   b. Past, present or future activities that the individual or law enforcement agency believes may violate a federal law, a law of any state or an ordinance of any local government.

2. “Law enforcement agency” has the meaning given in s. 165.83 (1) (b), and includes the department of corrections.

(b) If an authority that is a law enforcement agency receives a request to inspect or copy a record or portion of a record under s. 19.35 (1) (a) that contains specific information including but not limited to a name, address, telephone number, voice recording or handwriting sample which, if disclosed, would identify an informant, the authority shall delete the portion of the record in which the information is contained or, if no portion of the record can be inspected or copied without identifying the informant, shall withhold the record unless the legal custodian of the record, designated under s. 19.33, makes a determination, at the time that the request is made, that the public interest in allowing a person to inspect, copy or receive a copy of such identifying information outweighs the harm done to the public interest by providing such access.

(9) Records of plans or specifications for state buildings. Records containing plans or specifications for any state-owned or state-leased building, structure or facility or any proposed state-owned or state-leased building, structure or facility are not subject to the right of inspection or copying under s. 19.35 (1) except as the department of administration otherwise provides by rule.
(10) Employee personnel records. Unless access is specifically authorized or required by statute, an authority shall not provide access under s. 19.35 (1) to records containing the following information, except to an employee or the employee’s representative to the extent required under s. 103.13 or to a recognized or certified collective bargaining representative to the extent required to fulfill a duty to bargain under ch. 111 or pursuant to a collective bargaining agreement under ch. 111:

(a) Information maintained, prepared, or provided by an employer concerning the home address, home electronic mail address, home telephone number, or social security number of an employee, unless the employee authorizes the authority to provide access to such information.

(b) Information relating to the current investigation of a possible criminal offense or possible misconduct connected with employment by an employee prior to disposition of the investigation.

(c) Information pertaining to an employee’s employment examination, except an examination score if access to that score is not otherwise prohibited.

(d) Information relating to one or more specific employees that is used by an authority or by the employer of the employees for staff management planning, including performance evaluations, judgments, or recommendations concerning future salary adjustments or other wage treatments, management bonus plans, promotions, job assignments, letters of reference, or other comments or ratings relating to employees.

(11) Records of an individual holding a local public office or a state public office. Unless access is specifically authorized or required by statute, an authority shall not provide access under s. 19.35 (1) to records, except to an individual to the extent required under s. 103.13, containing information maintained, prepared or provided by an employer concerning the home address, home electronic mail address, home telephone number, or social security number of an individual who holds a local public office or a state public office, unless the individual authorizes the authority to provide access to such information. This subsection does not apply to the home address of an individual who holds an elective public office or to the home address of an individual who, as a condition of employment, is required to reside in a specified location.

(12) Information relating to certain employees. Unless access is specifically authorized or required by statute, an authority shall not provide access to a record prepared or provided by an employer performing work on a project to which s. 66.0903, 103.49, or 103.50 applies, or on which the employer is otherwise required to pay prevailing wages, if that record contains the name or other personally identifiable information relating to an employee or that employer, unless the employee authorizes the authority to provide access to that information. In this subsection, “personally identifiable information” does not include an employee’s work classification, hours or work, or wage or benefit payments received for work on such a project.

(13) Financial identifying information. An authority shall not provide access to personally identifiable data that contains an individual’s account or customer number with a financial institution, as defined in s. 895.505 (1) (b) [s. 134.97 (1) (b)], including credit card numbers, debit card numbers, checking account numbers, or draft account numbers, unless specifically required by law.

NOTE: The bracketed language indicates the correct cross-reference. Corrective legislation is pending.


NOTE: 2003 Wis. Act 47, which affects this section contains extensive explanatory notes.

Sub (2) does not require providing access to payroll records of subcontractors of a prime contractor of a public construction project. Building and Construction Trades Council v. Waunakee Community School District, 221 Wis. 2d 575, 585 N.W.2d 726 (Ct. App. 1999), 97-3282.

Production of an analog audio tape was insufficient under sub. (4) when the requester asked for examination and copying of the original digital audio tape. State ex rel. Milwaukee Police association v. Jones. 2000 WI App 146, 237 Wis. 2d 840, 615 N.W.2d 190, 98-3629.

Requests for university admissions records focusing on test scores, class rank, grade point average, race, gender, ethnicity, and socio-economic background was not a request for personally identifiable information and release was not barred by federal law or public policy. That the requests would require the university to redact information from thousands of documents under s. 19.36 (6) did not essentially require the university to create new records and, as such, did not provide grounds for denying the request under s. 19.35 (1) (L). Osborn v. Board of Regents of the University of Wisconsin System, 2002 WI 83, 254 Wis. 2d 266, 647 N.W.2d 158, 00-2861.

“Investigation” in sub. (10) (b) includes only that conducted by the public authority itself as a prelude to possible employee disciplinary action. An investigation achieves its “disposition” when the authority acts to impose discipline on an employee as a result of the investigation, regardless of whether the employee elects to pursue grievance arbitration or another review mechanism that may be available. Local 2489 v. Rock County, 2004 WI App 210, 277 Wis. 2d 208, 689 N.W.2d 644, 03-3101.

Separation costs must be borne by agency. 72 Atty. Gen. 99.

A computerized compilation of bibliographic records is discussed in relation to copyright law; requester is entitled to a copy of a computer tape or a printout of information on the tape. 75 Atty. Gen. 133 (1986).

And exemption to the federal Freedom of Information Act was not incorporated under (1). 77 Atty. Gen. 20.

Sub. (7) is an exception to the public records law and should be narrowly construed. In sub. (7) “applicant” and “candidate” are synonymous. “Final candidates” are the five most qualified unless there are less than five applicants in which case all are final candidates. 81 Atty. Gen. 37.
19.365 Rights of data subject to challenge; authority corrections.

(1) Except as provided under sub. (2), an individual or person authorized by the individual may challenge the accuracy of a record containing personally identifiable information pertaining to the individual that is maintained by an authority if the individual is authorized to inspect the record under s. 19.35 (1) (a) or (am) and the individual notifies the authority, in writing, of the challenge. After receiving the notice, the authority shall do one of the following:

(a) Concur with the challenge and correct the information.

(b) Deny the challenge, notify the individual or person authorized by the individual of the denial and allow the individual or person authorized by the individual to file a concise statement setting forth the reasons for the individual's disagreement with the disputed portion of the record. A state authority that denies a challenge shall also notify the individual or person authorized by the individual of the reasons for the denial.

(2) This section does not apply to any of the following records:

(a) Any record transferred to an archival depository under s. 16.61 (13).

(b) Any record pertaining to an individual if a specific state statute or federal law governs challenges to the accuracy of the record.

History: 1991 a. 269 ss. 27d, 27e, 35am, 37am, 39am.

19.37 Enforcement and penalties.

(1) Mandamus. If an authority withholds a record or a part of a record or delays granting access to a record or part of a record after a written request for disclosure is made, the requester may pursue either, or both, of the alternatives under pars. (a) and (b).

(a) The requester may bring an action for mandamus asking a court to order release of the record. The court may permit the parties or their attorneys to have access to the requested record under restrictions or protective orders as the court deems appropriate.

(b) The requester may, in writing, request the district attorney of the county where the record is found, or request the attorney general, to bring an action for mandamus asking a court to order release of the record to the requester. The district attorney or attorney general may bring such an action.

(1m) Time for commencing action. No action for mandamus under sub. (1) to challenge the denial of a request for access to a record or part of a record may be commenced by any committed or incarcerated person later than 90 days after the date that the request is denied by the authority having custody of the record or part of the record.

(1n) Notice of claim. Sections 893.80 and 893.82 do not apply to actions commenced under this section.

(2) Costs, fees and damages.

(a) Except as provided in this paragraph, the court shall award reasonable attorney fees, damages of not less than $100, and other actual costs to the requester if the requester prevails in whole or in substantial part in any action filed under sub. (1) relating to access to a record or part of a record s. 19.35 (1) (a). If the requester is a committed or incarcerated person, the requester is not entitled to any minimum amount of damages, but the court may award damages. Costs and fees shall be paid by the authority affected or the unit of government of which it is a part, or by the unit of government by which the legal custodian under s. 19.33 is employed and may not become a personal liability of any public official.

(b) In any action filed under sub. (1) relating to access to a record or part of a record under s. 19.35 (1) (am), if the court finds that the authority acted in a willful or intentional manner, the court shall award the individual actual damages sustained by the individual as a consequence of the failure.

(3) Punitive damages. If a court finds that an authority or legal custodian under s. 19.33 has arbitrarily and capriciously denied or delayed response to a request or charged excessive fees, the court may award punitive damages to the requester.

(4) Penalty. Any authority which or legal custodian under s. 19.33 who arbitrarily and capriciously denies or delays response to a request or charges excessive fees may be required to forfeit not more than $1,000. Forfeitures under this section shall be enforced by action on behalf of the state by the attorney general or by the district attorney of any county where a violation occurs. In actions brought by the attorney general, the court shall award any forfeiture recovered together with reasonable costs to the state; and in actions brought by the district attorney, the court shall award any forfeiture recovered together with reasonable costs to the county.


A party seeking fees under (2) must show that prosecution of action could reasonably be regarded as necessary to obtain information and that "causal nexus" exists between that action and agency's surrender of information. State ex rel. Vaughan v. Faust, 143 W (2d) 868, 422 NW (2d) 898 (Ct. App. 1988).

If agency exercises due diligence but is unable to respond timely to records request, plaintiff must show that mandamus action was necessary to secure records release to qualify for award of fees and costs under (2). Racine Ed. Ass'n. v. Bd. of Ed., 145 W (2d) 518, 427 NW (2d) 414 (Ct. App. 1988).
Assuming sub. (1) (a) applies before mandamus is issued, trial court retains discretion to refuse counsel's participation in camera inspection. Milwaukee Journal v. Call, 153 W (2d) 313, 450 NW (2d) 515 (Ct. App. 1989).

If the trial court has incomplete knowledge of the contents of the public records sought, it must conduct in camera inspection to determine what may be disclosed following a custodian's refusal. State ex rel. Morke v. Donnelly, 155 W (2d) 521, 455 NW (2d) 893 (1990).


A favorable judgment or order is not a necessary condition precedent for finding that a party prevailed against an agency under sub. (2); a causal nexus must be shown between the prosecution of the mandamus action and the release of the requested information. Eau Claire Press Co. v. Gordon, 176 W (2d) 154, 499 NW (2d) 918 (Ct. App. 1993).

Actions brought under the open meetings and open records laws are exempt from the notice provisions of s. 893.80. (1). Auchinleck v. Town of LaGrange, 200 W (2d) 585, 547 NW (2d) 587 (1996), 94-2809.

An inmate's right to mandamus under this section is subject to s. 801.02 (7), which requires exhaustion of administrative remedies before an action may be commenced. Moore v. Stahowiak, 212 Wis. 2d 744, 569 N.W.2d 711 (Ct. App. 1997), 96-2547.

Actual damages are liability of agency. Punitive damages and forfeitures can be liability of either agency or legal custodian or both. Section 895.46 (1) (a) probably provides indemnification for punitive damages assessed against a custodian but not for forfeitures. 72 Atty. Gen. 99.

19.39 Interpretation by attorney general.

Any person may request advice from the attorney general as to the applicability of this subchapter under any circumstances. The attorney general may respond to such a request.

History: 1981 c. 335.
Section 19.81, Wisconsin Statutes {Open Meeting Law}

SUBCHAPTER V
OPEN MEETINGS OF
GOVERNMENTAL BODIES

19.81 Declaration of policy.

(1) In recognition of the fact that a representative government of the American type is dependent upon an informed electorate, it is declared to be the policy of this state that the public is entitled to the fullest and most complete information regarding the affairs of government as is compatible with the conduct of governmental business.

(2) To implement and ensure the public policy herein expressed, all meetings of all state and local governmental bodies shall be publicly held in places reasonably accessible to members of the public and shall be open to all citizens at all times unless otherwise expressly provided by law.

(3) In conformance with article IV, section 10, of the constitution, which states that the doors of each house shall remain open, except when the public welfare requires secrecy, it is declared to be the intent of the legislature to comply to the fullest extent with this subchapter.

(4) This subchapter shall be liberally construed to achieve the purposes set forth in this section, and the rule that penal statutes must be strictly construed shall be limited to the enforcement of forfeitures and shall not otherwise apply to actions brought under this subchapter or to interpretations thereof.

History: 1975 c. 426; 1983 a. 192.

NOTE: The following annotations relate to 66.77, repealed by Chapter 426, laws of 1975.


NOTE: The following annotations relate to 66.77, repealed by Chapter 426, laws of 1975.

A regular open meeting, held subsequent to a closed meeting on another subject, does not constitute a reconvened open meeting where there was no prior open meeting on that day. 58 Atty. Gen. 41.

Consideration of a resolution is formal action of an administrative or minor governing body and when taken in proper closed session, the resolution and result of vote must be made available for public inspection, pursuant to 19.21, absent specific showing that the public interest would be adversely affected. 60 Atty. Gen. 9.

Joint apprenticeship committees, appointed pursuant to 4 Wis. Adm. Code, sec. Ind 85.02, are governmental bodies within the meaning of 66.77 (2) (c) and subject to the requirements of the open meeting law. 63 Atty. Gen. 363.

Voting procedures employed by workmen's compensation and unemployment advisory councils which utilize adjournment of public meeting for purposes of having members representing employers and members representing employees or workers to separately meet in closed caucuses and to vote as a block on reconvening are contrary to 66.77 and 15.09 (4), (5). 63 Atty. Gen. 414.

Governmental body can call closed sessions for proper purpose without giving notice to members of news media who have filed written request under 66.77 (2) (e). 63 Atty. Gen. 470.

Meaning of communication in 66.77 (2) (e) discussed with reference to giving the public and news media members adequate notice. 63 Atty. Gen. 509.

Posting in Governor's office of agenda of future investment board meetings is not sufficient communication under 66.77 (2) (e) to the public or the news media who have filed a written request for notice. 63 Atty. Gen. 549.

Under 66.77 (6), a county board may not utilize unidentified paper ballot in voting to appoint county highway commissioner, but may vote by ayes and nays or show of hands at open session if some member does not require vote to be taken in such manner that the vote of each member may be ascertained and recorded. 63 Atty. Gen. 569.

See note to 19.21, citing 63 Atty. Gen. 573.

NOTE: The following annotations refer to ss. 19.81 to 19.98.

Open meeting law is not applicable to the Wis. judicial commission. State ex rel. Lynch v. Dancey, 71 W (2d) 287, 238 NW (2d) 81.

Discussion of this subchapter. 65 Atty. Gen. preface.
Selected Excerpts from the Wisconsin Statutes

19.82 Definitions.

As used in this subchapter:

(1) "Governmental body" means a state or local agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, ordinance, rule or order; a governmental or quasi-governmental corporation except for the Bradley center sports and entertainment corporation; a local exposition district under subch. II of ch. 229; A family care district under S. 46.2895; a nonprofit corporation operating the Olympic ice training center under s. 42.11 (3); or a formally constituted subunit of any of the foregoing, but excludes any such body or committee or subunit of such body which is formed for or meeting for the purpose of collective bargaining under subch. I, IV or V of ch. 111.

(2) "Meeting" means the convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body. If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body. The term does not include any social or chance gathering or conference which is not intended to avoid this subchapter, any gathering of the members of a town board for the purpose specified in s. 60.50 (6), any gathering of the commissioners of a town sanitary district for the purpose specified in s. 60.77 (5) (k) or any gathering of the members of a drainage board created under s. 88.16, 1991 stats., or under s. 88.17, for a purpose specified in s. 88.065 (5) (a).

(3) "Open session" means a meeting which is held in a place reasonably accessible to members of the public and open to all citizens at all times. In the case of a state governmental body, it means a meeting which is held in a building and room thereof which enables access by persons with functional limitations, as defined in s. 101.13 (1).


A "meeting" under sub. (2) was found although governmental body was not empowered to exercise the final powers of its parent body. State v. Swanson, 92 W (2d) 310, 284 NW (2d) 655 (1979).

A "meeting" under sub. (2) was found where members met with a purpose to engage in government business and number of members present was sufficient to determine parent body's course of action regarding proposal discussed. State ex rel. Newspapers v. Showers, 135 W (2d) 77, 398 NW (2d) 154 (1987).

A municipal public utility commission managing a city owned public electric utility is a governmental body under (1). 65 Atty. Gen. 243.

A "private conference" under 118.22 (3), on nonrenewal of teacher's contract is a "meeting" within 19.82 (2). 66 Atty. Gen. 211.

A telephone conference call involving members of governmental body is a "meeting" which must be reasonably accessible to public and public notice must be given. 69 Atty. Gen. 143.

19.83 Meetings of governmental bodies.

(1) Every meeting of a governmental body shall be preceded by public notice as provided in s. 19.84, and shall be held in open session. At any meeting of a governmental body, all discussion shall be held and all action of any kind, formal or informal, shall be initiated, deliberated upon and acted upon only in open session except as provided in s. 19.85.

(2) During a period of public comment under s. 19.84 (2), a governmental body may discuss any matter raised by the public.

History: 1975 c. 426; 1997 a. 123.
19.84 Public notice.

(1) Public notice of all meetings of a governmental body shall be given in the following manner:

(a) As required by any other statutes; and

(b) By communication from the chief presiding officer of a governmental body or such person's designee to the public, to those news media who have filed a written request for such notice, and to the official newspaper designated under ss. 985.04, 985.05, and 985.06 or, if none exists, to a news medium likely to give notice in the area.

(2) Every public notice of a meeting of a governmental body shall set forth the time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session, in such form as is reasonably likely to apprise members of the public and the news media thereof. The public notice of a meeting of a governmental body may provide for a period of public comment, during which the body may receive information from members of the public.

(3) Public notice of every meeting of a governmental body shall be given at least 24 hours prior to the commencement of such meeting unless for good cause such notice is impossible or impractical, in which case shorter notice may be given, but in no case may the notice be provided less than 2 hours in advance of the meeting.

(4) Separate public notice shall be given for each meeting of a governmental body at a time and date reasonably proximate to the time and date of the meeting.

(5) Departments and their subunits in any University of Wisconsin System institution or campus and a nonprofit corporation operating the Olympic ice training center under s. 42.11 (3) are exempt from the requirements of subs. (1) to (4) but shall provide meeting notice which is reasonably likely to apprise interested persons, and news media who have filed written requests for such notice.

(6) Notwithstanding the requirements of s. 19.83 and the requirements of this section, a governmental body which is a formally constituted subunit of a parent governmental body may conduct a meeting without public notice as required by this section during a lawful meeting of the parent governmental body, during a recess in such meeting or immediately after such meeting for the purpose of discussing or acting upon a matter which was the subject of that meeting of the parent governmental body. The presiding officer of the parent governmental body shall publicly announce the time, place and subject matter of the meeting of the subunit in advance at the meeting of the parent body.

part of the record of the meeting. No business may be taken up at any closed session except that which relates to
matters contained in the chief presiding officer's announcement of the closed session. A closed session may be held
for any of the following purposes:

(a) Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that
governmental body.

(b) Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or
commission or the investigation of charges against such person, or considering the grant or denial of tenure for a
university faculty member, and the taking of formal action on any such matter; provided that the faculty member
or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held
prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a
statement that the person has the right to demand that the evidentiary hearing or meeting be held in open ses-
sion. This paragraph and par. (f) do not apply to any such evidentiary hearing or meeting where the employee or
person licensed requests that an open session be held.

(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over
which the governmental body has jurisdiction or exercises responsibility.

(d) Except as provided in x. 304.06 (1) (eg) and by rule promulgated under s. 304.06 (1) (em), considering specific
applications of probation extended supervision or parole, or considering strategy for crime detection or preven-
tion.

(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other
specified public business, whenever competitive or bargaining reasons require a closed session.

(ee) Deliberating by the council on unemployment insurance in a meeting at which all employer members of the
council or all employee members of the council are excluded.

(eg) Deliberating by the council on worker's compensation in a meeting at which all employer members of the council
or all employee members of the council are excluded.

(em) Deliberating under s. 157.70 if the location of a burial site, as defined in s. 157.70 (1) (b), is a subject of the de-
liberation and if discussing the location in public would be likely to result in disturbance of the burial site.

(f) Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary
consideration of specific personnel problems or the investigation of charges against specific persons except
where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the
reputation of any person referred to in such histories or data, or involved in such problems or investigations.

(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strat-
tegy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

(h) Consideration of requests for confidential written advice from the ethics board under s. 19.46 (2), or from any
county or municipal ethics board under s. 19.59 (5).

(i) Considering any and all matters related to acts by businesses under s. 560.15 which, if discussed in public,
could adversely affect the business, its employees or former employees.

(j) Considering financial information relating to the support by a person, other than an authority, of a nonprofit cor-
poration operating the Olympic ice training center under s. 42.11 (3), if the information is exempt from disclosure
under s. 42.11 or would be so exempt were the information to be contained in a record. In this paragraph, "au-
thority" and "record" have the meanings given under s. 19.32.

(2) No governmental body may commence a meeting, subsequently convene in closed session and thereafter reconvene
again in open session within 12 hours after completion of the closed session, unless public notice of such subsequent
open session was given at the same time and in the same manner as the public notice of the meeting convened prior
to the closed session.

(3) Nothing in this subchapter shall be construed to authorize a governmental body to consider at a meeting in closed
session the final ratification or approval of a collective bargaining agreement under subch. I, IV or V of ch. 111 which
has been negotiated by such body or on its behalf.

27; 1997 a. 39, 237, 283; 1999 a. 32.

Although a meeting was properly closed, in order to refuse inspection of records of the meeting, the custodian was required by
s. 19.35 (1) (a) to state specific and sufficient public policy reasons why the public interest in nondisclosure outweighed the
public's right of inspection. Oshkosh Northwestern Co. v. Oshkosh Library Bd. 125 W (2d) 480, 373 NW (2d) 459 (Cl. App.
1985).

The balance between protection of reputation under sub. (1) (f) and public interest in openness is discussed. Wis. State Journal
v. UW-Platteville, 160 W (2d) 31, 465 NW (2d) 266 (Cl. App. 1990). See also Pangman v. Stigler, 161 W (2d) 828, 468 NW (2d)
784 (Cl. App. 1991).

A "case" under sub. (1) (a) contemplates an adversarial proceeding. It does not connote the mere application for and granting of
A closed session to discuss an employee’s dismissal was properly held under sub. (1) (b) and did not require notice to the employee under sub. (1) (c) when no evidentiary hearing or final action took place in the closed session. State ex rel. Epping v. City of Neillsville, 218 Wis. 2d 516, 581 N.W.2d 548 (ct. App. 1998), 97-0403.

Boards of review cannot rely on exemptions in sub. (1) to close any meeting in view of explicit requirements in s. 70.47 (2m). 65 Atty. Gen. 162.

A university subunit may discuss promotions not relating to tenure, merit increases and property purchase recommendations in closed session. 66 Atty. Gen. 60.

Neither sub. (1) (c) nor (f) authorizes a school board to make actual appointments of new member in closed session. 74 Atty. Gen. 70.

A county board chairperson and committee are not authorized by sub. (1) (c) to meet in closed session to discuss appointments to county board committees. In appropriate circumstances, sub. (1) (f) would authorize closed sessions. 76 Atty. Gen. 276.

Sub. (1) (c) does not permit closed sessions to consider employment, compensation, promotion or performance evaluation policies to be applied to position of employment in general. 80 Atty. Gen. 176.

A governmental body may convene in closed session to formulate collective bargaining strategy, but sub. (3) requires that deliberations leading to ratification of a tentative agreement with a bargaining unit, as well as the ratification vote, must be held in open session. 81 Atty. Gen. 139.

“Evidentiary hearing” as used in s. 19.85 (1) (b), means a formal examination of accusations by receiving testimony or other forms of evidence that may be relevant to the dismissal, demotion, licensing, or discipline of any public employee or person covered by that section. A council that considered a mayor’s accusations against an employee in closed session without giving the employee prior notice violated the requirement of actual notice to the employee. Campana v. City of Greenfield, 38 F. Supp. 2d 1043 (1999).

**19.86 Notice of collective bargaining negotiations.**

Notwithstanding s. 19.82 (1), where notice has been given by either party to a collective bargaining agreement under subch. IV or V of ch. 111 to reopen such agreement at its expiration date, the employer shall give notice of such contract reopening as provided in s. 19.84 (1) (b). If the employer is not a governmental body, notice shall be given by the employer’s chief officer or such person’s designee. This section does not apply to a nonprofit corporation operating the Olympic ice training center under s. 42.11 (3).

**NOTE: This section is amended eff. 7-1-97 by 1995 Wis. Act 27 to read:**

**19.86 Notice of collective bargaining negotiations.**

Notwithstanding s. 19.82 (1), where notice has been given by either party to a collective bargaining agreement under subch. IV or V of ch. 111 to reopen such agreement at its expiration date, the employer shall give notice of such contract reopening as provided in s. 19.84 (1) (b). If the employer is not a governmental body, notice shall be given by the employer’s chief officer or such person’s designee. This section does not apply to a nonprofit corporation operating the Olympic ice training center under s. 42.11 (3).


**19.87 Legislative meetings.**

This subchapter shall apply to all meetings of the senate and assembly and the committees, subcommittees and other subunits thereof, except that:

1. Section 19.84 shall not apply to any meeting of the legislature or a subunit thereof called solely for the purpose of scheduling business before the legislative body; or adopting resolutions of which the sole purpose is scheduling business before the senate or the assembly.

2. No provision of this subchapter which conflicts with a rule of the senate or assembly or joint rule of the legislature shall apply to a meeting conducted in compliance with such rule.

3. No provision of this subchapter shall apply to any partisan caucus of the senate or any partisan caucus of the assembly, except as provided by legislative rule.

4. Meetings of the senate or assembly committee on organization under s. 71.78 (4) (c) or 77.61 (5) (b) 3. shall be closed to the public.

History: 1975 c. 426; 1977 c. 418; 1987 a. 312 s. 17.

Sub. (3) applied to closed meeting of Democrats on legislative committee to discuss budget bill. State ex rel. Lynch v. Conta, 71 W (2d) 662, 239 NW (2d) 313.

**19.88 Ballots, votes and records.**

1. Unless otherwise specifically provided by statute, no secret ballot may be utilized to determine any election or other decision of a governmental body except the election of the officers of such body in any meeting.

2. Except as provided in sub. (1) in the case of officers, any member of a governmental body may require that a vote be taken at any meeting in such manner that the vote of each member is ascertained and recorded.
Selected Excerpts from the Wisconsin Statutes

(3) The motions and roll call votes of each meeting of a governmental body shall be recorded, preserved and open to public inspection to the extent prescribed in subch. II of ch. 19.


Under (1), common council may not vote to fill a vacancy on the common council by secret ballot. 65 Atty. Gen. 131.

19.89 Exclusion of members.

No duly elected or appointed member of a governmental body may be excluded from any meeting of such body. Unless the rules of a governmental body provide to the contrary, no member of the body may be excluded from any meeting of a subunit of that governmental body.

History: 1975 c. 426.

19.90 Use of equipment in open session.

Whenever a governmental body holds a meeting in open session, the body shall make a reasonable effort to accommodate any person desiring to record, film or photograph the meeting. This section does not permit recording, filming or photographing such a meeting in a manner that interferes with the conduct of the meeting or the rights of the participants.

History: 1977 c. 322.

19.96 Penalty.

Any member of a governmental body who knowingly attends a meeting of such body held in violation of this subchapter, or who, in his or her official capacity, otherwise violates this subchapter by some act or omission shall forfeit without reimbursement not less than $25 nor more than $300 for each such violation. No member of a governmental body is liable under this subchapter on account of his or her attendance at a meeting held in violation of this subchapter if he or she makes or votes in favor of a motion to prevent the violation from occurring, or if, before the violation occurs, his or her votes on all relevant motions were inconsistent with all those circumstances which cause the violation.

History: 1975 c. 426.

State need not prove specific intent to violate Open Meeting Law. State v. Swanson, 92 W (2d) 310, 284 NW (2d) 655 (1979).

19.97 Enforcement.

(1) This subchapter shall be enforced in the name and on behalf of the state by the attorney general or, upon the verified complaint of any person, by the district attorney of any county wherein a violation may occur. In actions brought by the attorney general, the court shall award any forfeiture recovered together with reasonable costs to the state; and in actions brought by the district attorney, the court shall award any forfeiture recovered together with reasonable costs to the county.

(2) In addition and supplementary to the remedy provided in s. 19.96, the attorney general or the district attorney may commence an action, separately or in conjunction with an action brought under s. 19.96, to obtain such other legal or equitable relief, including but not limited to mandamus, injunction or declaratory judgment, as may be appropriate under the circumstances.

(3) Any action taken at a meeting of a governmental body held in violation of this subchapter is voidable, upon action brought by the attorney general or the district attorney of the county wherein the violation occurred. However, any judgment declaring such action void shall not be entered unless the court finds, under the facts of the particular case, that the public interest in the enforcement of this subchapter outweighs any public interest which there may be in sustaining the validity of the action taken.

(4) If the district attorney refuses or otherwise fails to commence an action to enforce this subchapter within 20 days after receiving a verified complaint, the person making such complaint may bring an action under subs. (1) to (3) on his or her relation in the name, and on behalf, of the state. In such actions, the court may award actual and necessary costs of prosecution, including reasonable attorney fees to the relator if he or she prevails, but any forfeiture recovered shall be paid to the state.

(5) Sections 893.80 and 893.82 do not apply to actions commenced under this section.


Judicial Council Note, 1981: Reference in sub. (2) to a "writ" of mandamus has been removed because that remedy is now available in an ordinary action. See s. 781.01, stats., and the note thereto. [Bill 613-A]

Awards of attorney fees are to be at a rate applicable to private attorneys. A court may review the reasonableness of the hours and hourly rate charged, including the rates for similar services in the area, and may in addition consider the peculiar facts of the case and the responsible party's ability to pay. Hodge v. Town of Turtle Lake, 190 W (2d) 181, 526 NW (2d) 784 (Ct. App. 1994).

Actions brought under the open meetings and open records laws are exempt from the notice provisions of sub. (1). Auchinleck v. Town of LaGrange, 200 W (2d) 585, 547 NW (2d) 587 (1996), 94-2809.

Failure to bring an action under this section on behalf of the state is fatal and deprives the court of competency to proceed.

Fabyan v. Achtenhagen, 2002 WI App 214, 257 Wis 2d 310, 652 N.W.2d 649, 01-3298,
Complaints under the open meetings law are not brought in the individual capacity of the plaintiff but on behalf of the state, subject to the 2-year statute of limitations under s. 893.93(2). Leung v. City of Lake Geneva, 2003 WI App 129, 265 Wis. 2d 674, 666 N.W. 2d 104, 02-2747.

When a town board’s action was voided by the court due to lack of statutory authority, an action for enforcement under sub. (4) by an individual as a private attorney general on behalf of the state against individual board members for a violation of the open meetings law that would subject the individual board members to civil forfeitures was not rendered moot. Lawton v. Town of Barton, 2005 WI App 16, 278 Wis. 2d 388, 692 N.W.2d 304, 04-0659.

19.98 Interpretation by attorney general.

Any person may request advice from the attorney general as to the applicability of this subchapter under any circumstances.

History: 1975 c. 426.
Section 103.13, Wisconsin Statutes (Personnel Records Law)

RECORDS OPEN TO EMPLOYEE

103.13 Records open to employee.

(1) Definition. In this section, “employee” includes former employees.

(2) Open records. Every employer shall, upon the request of an employee, which the employer may require the employee to make in writing, permit the employee to inspect any personnel documents which are used or which have been used in determining that employee’s qualifications for employment, promotion, transfer, additional compensation, termination or other disciplinary action, and medical records, except as provided in subs. (5) and (6). An employee may request all or any part of his or her records, except as provided in sub. (6). The employer shall grant at least 2 requests by an employee in a calendar year, unless otherwise provided in a collective bargaining agreement, to inspect the employee’s personnel records as provided in this section. The employer shall provide the employee with the opportunity to inspect the employee’s personnel records within 7 working days after the employee makes the request for inspection. The inspection shall take place at a location reasonably near the employee’s place of employment and during normal working hours. If the inspection during normal working hours would require an employee to take time off from work with that employer, the employer may provide some other reasonable time for the inspection. In any case, the employer may allow the inspection to take place at a time other than working hours or at a place other than where the records are maintained if that time or place would be more convenient for the employee.

(3) Personnel record inspection by representative. An employee who is involved in a current grievance against the employer may designate in writing a representative of the employee’s union, collective bargaining unit or other designated representative to inspect the employee’s personnel records which may have a bearing on the resolution of the grievance, except as provided in sub. (6). The employer shall allow such a designated representative to inspect in the employee’s personnel records in the same manner as provided under sub. (2).

(4) Personnel record correction. If the employee disagrees with any information contained in the personnel records, a removal or correction of that information may be mutually agreed upon by the employer and the employee. If an agreement cannot be reached, the employee may submit a written statement explaining the employee’s position. The employer shall attach the employee’s statement to the disputed portion of the personnel record. The employee’s statement shall be included whenever that disputed portion of the personnel record is released to a 3rd party as long as the disputed record is a part of the file.

(5) Medical records inspection. The right of the employee or the employee’s designated representative under sub. (3) to inspect personnel records under this section includes the right to inspect any personal medical records concerning the employee in the employer’s files. If the employer believes that disclosure of an employee’s medical records would have a detrimental effect on the employee, the employer may release the medical records to the employee’s physician or through a physician designated by the employee, in which case the physician may release the medical records to the employee or to the employee’s immediate family.

(6) Exceptions. The right of the employee or the employee’s designated representative under sub. (3) to inspect his or her personnel records does not apply to:

(a) Records relating to the investigation of possible criminal offenses committed by that employee.

(b) Letters of reference for that employee.

(c) Any portion of a test document, except that the employee may see a cumulative total test score for either a section of the test document or for the entire test document.

(d) Materials used by the employer for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for the employer’s planning purposes.

(e) Information of a personal nature about a person other than the employee if disclosure of the information would constitute a clearly unwarranted invasion of the other person’s privacy.

(f) An employer who does not maintain any personnel records.

(g) Records relevant to any other pending claim between the employer and the employee which may be discovered in a judicial proceeding.

(7) The right of the employee or the employee’s representative to inspect records includes the right to copy or receive a copy of records. The employer may charge a reasonable fee for providing copies of records, which may not exceed the actual cost of reproduction.

(7m) Employment discrimination. Section 111.322 (2m) applies to discharge and other discriminatory acts in connection with any proceeding under this section.

(8) Penalty. Any employer who violates this section may be fined not less than $10 nor more than $100 for each violation. Each day of refusal or failure to comply with a duty under this section is a separate violation.

In order to promote the common interest of faculty, students, and administration in enhancing the academic quality of the university, to provide an organizational structure to preserve academic freedom, to protect academic due process, to assure shared responsibility in university decision making, to promote cooperation in university governance, and to establish a structure and procedures by which the faculty may exercise its responsibility for the immediate governance of the institution and for academic and faculty personnel matters, we, the members of the faculty of the University of Wisconsin Oshkosh, do establish this constitution.

ARTICLE I. The Faculty.

Section 1. Membership in the Faculty.

Persons who hold the academic rank of professor, associate professor, assistant professor, or instructor in an academic department or equivalent unit at the University of Wisconsin Oshkosh, and such academic staff members as may be designated by the department or equivalent unit, the Chancellor, and the Faculty Senate following procedures set forth in the operating rules of the university, will be considered to be faculty members of the University of Wisconsin Oshkosh. Faculty members on leave of absence and faculty on lay-off, subject to Wisconsin Administrative Code UWS 5.20, shall be accorded full university governance rights under this constitution, providing they are present to vote.

Section 2. Academic Freedom and Tenure.

The purpose of this section is to promote understanding and support of academic freedom and tenure and agreement upon procedures to assure them at the University of Wisconsin Oshkosh.

A. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution. The common good depends upon the free search for truth and its free exposition.

B. Academic freedom is essential to these purposes and applies to teaching, learning, research, and scholarly resource collection. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. The faculty is entitled to full freedom of discussion in the classroom, and is expected to exercise professional judgment about the relevance of material introduced to the subject of the course. Freedom in research is fundamental to the advancement of truth. The faculty is entitled to full freedom in research and in publication of the results, subject to the adequate performance of other academic duties. Academic freedom for the librarian is essential for a balanced collection of resources that meet the needs of scholars, students, and teachers.

C. Academic freedom carries with it duties correlative with rights. The faculty member is a citizen, a member of a learned profession and an officer of an educational institution. When speaking or writing as a citizen, the faculty member should be free from institutional censorship or discipline, but his or her special position in the community imposes special obligation. As a person of learning and an educational officer, the teacher should remember that the public may judge the profession and the institution by an individual's utterances. Hence the faculty member should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he or she is not a spokes-person for the institution.

D. It is a responsibility of the Faculty Senate to protect academic freedom.

E. Tenure is a means to certain ends, specifically, (1) freedom of teaching and research and of extramural activities; and (2) a sufficient degree of economic security to make the profession
Section 3. Equal Opportunity.

The faculty of the University of Wisconsin Oshkosh is committed to a policy of fairness and equal opportunity for all. A diverse student body, faculty, and staff, which reflects the variety and pluralism of society is desired and encouraged. Moreover, equal access to benefits, programs, services, employment, and educational opportunities is assured for all without regard to sex, color, marital or parental status, race, age, national origin, handicap, or sexual preference.

Section 4. Powers and Responsibilities of the Faculty.

The faculty of the University of Wisconsin Oshkosh, subject to the responsibilities and powers of the Board of Regents, the President, and the Chancellor, and recognizing student rights, shall be vested with responsibility for the immediate governance of this institution and shall actively participate in institutional policy development. As such, the faculty shall have the primary responsibility for academic and educational activities and faculty personnel matters. The word primary shall be defined as both first and principal, but not exclusive. The faculty shall have the right to determine its own faculty organizational structure and to select representatives to participate in institutional governance.

Section 5. Administrative Review.

When faculty decisions or recommendations concerning academic and educational activities and faculty personnel matters are transmitted in writing to the Chancellor. The Chancellor, recognizing the academic tradition of concurring with a clear faculty judgment in matters of primary faculty responsibility, shall as a matter of collegiality respond in writing, giving reasons, providing that such communication shall not be prohibited by law or System policy. Nothing in this section shall impede the authority of the Chancellor, established by law and System policy, to review faculty decisions on such matters and to make independent judgments regarding them; and nothing in this section shall prohibit appropriate consultation.

Section 6. Faculty Referenda.

By two-thirds vote of the Faculty Senate, any policy matter related to the powers and responsibilities of the faculty as stated in ARTICLE I, Section 4 above, may be referred to the whole faculty for decision. A referendum will also be held if one-tenth of the faculty, as defined in ARTICLE I excluding those with limited appointments, petition the Faculty Senate President to call for such a referendum. The Senate will draft the referendum proposal and will ordinarily distribute it to the faculty one month prior to the time at which a vote on the referendum is to be taken. At least one general faculty meeting, called by the Faculty Senate President, will be held on the matter for discussion and exchange of information. The referendum vote will be by secret ballot in a special election. A majority of eligible voters who cast ballots will be required for passage of a referendum. Eligible voters for faculty referendum will be members of the faculty as defined in ARTICLE I excluding those with limited appointment. The appropriate Senate committee will count the ballots.

ARTICLE II. The Faculty Senate: Powers and Functions.

Section 1. Powers.

Powers and responsibilities vested in the faculty, except those that are reserved by this constitution to the general faculty or delegated by this constitution to faculty in the colleges, schools, departments or equivalent units, shall be delegated to the Faculty Senate as the representative body of the faculty. As such, the Faculty Senate shall represent faculty interests and maintain faculty prerogatives not vested in colleges, departments, or equivalent units, specifically including the faculty role (as defined in ARTICLE I, Section 4, and ARTICLE II, Sections 2, 3, 4 of this constitution) in the immediate governance of the institution, in the formulation of academic policy, in planning, in faculty development, curriculum development, instruction, faculty personnel matters, fiscal and physical resources.

Section 2. University Policy: Primary Faculty Responsibility.
Faculty Constitution

A. The Faculty Senate, in cooperation with colleges and departments and equivalent units and administrative officers, shall assure faculty participation in all stages of policy development about matters of primary faculty responsibility.

B. The Faculty Senate, in cooperation with colleges and departments or equivalent units, and recognizing the students’ role and the Chancellor's responsibilities and authority, shall have primary responsibility for formulating university-level policy about the following:

1. Academic and educational activities including instruction, review and coordination of curriculum, academic planning, and faculty development.

2. Faculty personnel matters including salary procedures, university-level policy about faculty status, appointments, reappointments, dismissals, tenure, promotion, merit, participation in outside activities, personnel planning, faculty development, and the rights of laid-off faculty. Where applicable, all such policies shall be consistent with the Wisconsin Administrative Code.

C. When Faculty Senate decisions and rationale concerning academic and educational activities and faculty personnel matters are transmitted in writing to the Chancellor, the Chancellor, recognizing the academic tradition of concurring with a clear faculty judgement in matters of primary faculty responsibility, shall as a matter of collegiality respond in writing, giving reasons, providing that such communication shall not be prohibited by law or System policy. Nothing in this section shall impede the authority of the Chancellor, established by law and System policy, to review faculty decisions on such matters and to make independent judgements regarding them; and nothing in this section shall prohibit appropriate consultation.

Section 3. University Policy: Governance.

A. The faculty, subject to the provisions of Wisconsin Statutes 36.09, shall be responsible for the immediate governance of the institution. The Faculty Senate, in cooperation with colleges and departments or equivalent units, shall assure faculty participation in all levels of policy development about governance.

B. The Faculty Senate, in cooperation with colleges and departments or equivalent units, and recognizing the students’ role and the Chancellor’s responsibilities and authority, shall have responsibility for formulating university-level policy about the following faculty matters: elections, eligibility for voting, representation, faculty participation in governance, faculty organizational structure, bylaws, and constitution.

Section 4. University Policy: Faculty Participation Rights.

A. The Faculty Senate, in cooperation with colleges and departments or equivalent units, shall assure faculty participation in all stages of policy development in areas of faculty concern.

B. The Faculty Senate or its representatives to the appropriate body, subject to the responsibilities and authority of the Chancellor, shall actively participate in the formulation of university-level institutional policies not matters of faculty responsibility, specifically including fiscal and physical resources.

Section 5. Administrative Search and Screen Procedures.

The Faculty Senate shall select faculty representatives for search and screen committees for System and university level administrators above the level of dean.


The Faculty Senate will share in the development of university policy and procedures for the evaluation of administrators concerned with matters of primary faculty responsibility. Faculty within the specific college or school represented by a dean will participate in the periodic evaluation of that dean, and faculty within the libraries and learning resources will participate in the periodic evaluation of the director.

Section 7. The Faculty Senate Shall Form Its Own Bylaws.

Section 8. Complaints and Grievance Procedure.
The Faculty Senate, in accordance with Wisconsin Administrative Code UWS 6, shall develop rules and procedures to deal with allegations, complaints, and grievances about the professional conduct of faculty members, and shall provide a grievance procedure to assure that violation of faculty rights or unfair treatment may be promptly and equitably remedied.

ARTICLE III. The Faculty Senate: Membership and Elections.

Section 1. Faculty Senators.

The Faculty Senate shall be composed of 25 members. Senators will be elected as representatives of various constituencies within the faculty. All faculty members shall be eligible to serve as members of the Faculty Senate except administrators above the level of chairperson or equivalent who hold a limited appointment.

Section 2. Constituencies.

For the conduct of faculty elections, the Faculty Senate shall divide the faculty into several voting constituencies. Each voting constituency will be entitled to elect faculty senators in proportion to the relative number of FTE (Full Time Equivalent Faculty) assigned to the constituency. However, each constituency will be entitled to at least two senators. Every three years, the Faculty Senate shall review the division of the faculty and reapportion the constituencies according to the proportional formula set above. The constituencies of the Faculty Senate shall be as follows:

A. College of Business Administration
B. College of Education and Human Services
C. College of Letters and Science: Fine and Performing Arts Division
D. College of Letters and Science: Humanities Division
E. College of Letters and Science: Mathematics and Natural Science Division
F. College of Letters and Science: Social Science Division
G. Combined College of Nursing and Service faculty assigned to non-college units

When this constitution is ratified, existing Faculty Senate members and officers will complete their terms, and elections will be held to fill additional seats created by the constitution. New senators will have staggered terms within divisions so that approximately one-third of the total Senate membership will be elected each year.

Section 3. Election of Faculty Senators.

Each year elections will be held to fill one-third of the seats on the Faculty Senate. Elections of faculty senators shall be initiated no later than the eighth week of the spring semester and shall be concluded within a five-week period.

A. Prior to each election the Faculty Senate shall arrange the preparation of a list of members of each constituency who are eligible to vote for faculty senators and to serve in the Senate. Administrators above the level of chairperson or equivalent who hold a limited appointment shall be excluded from the list. Individual faculty members shall be responsible for informing the Faculty Senate of any change in their assignments which would affect their voting constituencies. The Faculty Senate shall determine the voting constituencies of any faculty members whose proper constituencies are uncertain, and shall inform the faculty members and the college or colleges concerned.

B. A nominating ballot shall be prepared which lists, by constituencies, the eligible faculty members who are willing to serve as faculty senators. Each eligible voter shall receive a primary ballot for the appropriate constituency along with instructions for voting. From the results of the primary balloting, ballots shall be prepared for a final election.

C. Election of faculty senators shall be by a majority of the legal votes cast or by a plurality if there are more than two candidates. In case of ties, repeated elections shall be conducted until all positions are filled.
Faculty Constitution

D. The term of office for faculty senators shall be three years and shall commence with the beginning of the fall semester following their election.

E. If a faculty senator should resign from the Faculty Senate or the University, die, become permanently incapacitated, or commence a leave of absence of more than one academic year in duration, the Faculty Senate shall declare the position vacant. Such positions shall be filled for the remainder of the unexpired terms by means of special elections, arranged by the Senate and conducted within the constituencies involved in accordance with normal election procedures. If a senator commences a leave of absence of one semester, the position shall be filled for that semester by the unsuccessful candidate for the Senate who, in the most recent election, received the most votes from the constituency involved. If such a candidate is not available, the Senate shall declare the position vacant for that semester.

ARTICLE IV. The Faculty Senate: Officers and Executive Committee.

Section 1. Title and Duties of Officers.

The officers of the Faculty Senate shall be president, a vice president, and three members-at-large. These officers shall be elected by faculty senators from their membership.

A. The president shall preside over meetings of the Faculty Senate, serve as the chief representative of the faculty both within and outside the university, and fulfill all responsibilities assigned to the office by this constitution. The president shall convene a combined meeting of all chairs of the Committees of the Senate (ARTICLE VII), and all chairs of Faculty Senate Committees (GOV 3) as described in the Faculty Senate Bylaws.

B. The vice president shall be the president-elect of the Senate and shall succeed automatically to a full term of office as president, following completion of a term as vice president.

C. The vice president shall be responsible for official minutes and records of all Senate meetings and fulfill any other responsibilities assigned to the office by the Faculty Senate bylaws. The Section 1.C. duties of the vice president shall be assumed by the past president in years when there is no vice president. Should the office of past president become vacant, the Senate shall elect a senator to be responsible for official minutes and records of all Senate meetings.

D. The three members-at-large shall carry out such duties as may be assigned by the Faculty Senate bylaws.

Section 2. Election of Officers.

The officers of the Faculty Senate shall be elected by the Senate during the last three weeks of April. Election procedures shall be established in the Faculty Senate bylaws.

A. The president shall serve a two year term commencing with the fall semester following election. The vice president shall be elected in April of the president’s first year in office and serve a one year term commencing with the fall semester of the president’s second year in office. Members at large shall serve terms of one year commencing with the fall semester following their election.

B. To be elected, a candidate must receive a majority of the votes cast.

C. Should the office of president of the Senate become vacant during the president’s second year in office, the vice president shall succeed to the office of president for the remainder of the term and shall continue in the office during the following two academic years. Should the office of the president of the Senate become vacant during the president’s first year in office, the Senate shall elect a new president following election procedures established in the Faculty Senate Bylaws. The new president shall continue in office for the remainder of the two year term.

D. Should the offices of vice president or member-at-large become vacant, successors to the vacant offices shall be elected at the first meeting of the Faculty Senate following notification that a vacancy in office exists. Election procedures shall be established in the Faculty Senate bylaws.
Section 3. Removal of Officers.

Officers of the Faculty Senate may be removed from office by vote of a two-thirds majority of faculty senators. A motion to remove an officer must be presented at a regular meeting of the Senate; the motion may be considered not earlier than ten working days after its presentation.

Section 4. The Executive Committee.

The executive committee shall be comprised of the president, the past president (during the first year of the presidency) or the vice president (during the second year of the presidency), and three members-at-large. The past president shall serve as a non-voting member of the Faculty Senate if he or she is not a member of the Senate.

A. The president of the Senate shall chair the executive committee.

B. The executive committee shall prepare the Senate agenda and shall distribute the agenda to the faculty senators at least two days prior to any meeting. The Senate may alter the agenda by a majority vote of the faculty senators present and voting at the beginning of each regular session.

C. The executive committee shall coordinate senate activities, implement senate actions, serve as liaison with the administration, students, and faculty, and constitute an interim committee of the Senate with authority to call the Senate into special session.

D. The executive committee shall have the authority to act on behalf of the Senate in circumstances requiring immediate action. The Senate shall be notified in writing of these actions prior to the next regular meeting and shall review and ratify or reject such actions at that time.

E. The executive committee may exercise the powers of the Senate during the summer semester in the event that a quorum of the faculty senators cannot be convened. All actions shall be reported in writing to the Senate which shall review and ratify or reject them at its next meeting. The executive committee shall attempt to convene a quorum of faculty senators for any regular or special meeting called during the summer semester or interim periods, but should a quorum be unavailable, then the executive committee shall seek the advice and assistance of those faculty senators who are available. All faculty senators shall be sent written notice of any regular or special meeting called during the summer semester or interim periods.

F. The executive committee shall keep the entire faculty informed of the agenda and activities of the Faculty Senate by means of regular written reports and by distribution of the minutes of Senate meetings.

Section 5. Liaison.

The Senate shall invite representatives of the Chancellor, the student government, and the academic staff to attend Senate meetings in order to communicate to the Senate the interests of those university components and to serve as resource persons.

ARTICLE V. The Faculty Senate: Meetings.

Section 1. Time, Location and Frequency of Meetings.

Meetings of the Senate shall be called by the president of the Senate.

A. The times and locations of meetings shall be selected by the president of the Senate, in accordance with the preferences of the senators, and shall be announced in advance to the faculty.

B. The Senate shall hold a regular meeting at least once per month during the two full semesters of the academic year with a minimum of nine meetings per academic year.

C. General faculty meetings, for the purpose of discussion and exchange of information, may be called by the Faculty Senate president or by petition of 20 faculty members to the president. The president of the Faculty Senate shall preside.
Faculty Constitution

All meetings of the Senate shall be conducted in accordance with the most recent edition of Sturgis’ Standard Code of Parliamentary Procedure. Senate meetings shall be open, except under conditions which by statute justify closed meetings. Any faculty member may address the Senate after first obtaining recognition from the presiding officer.

Section 3. Agenda for Meetings.
The Senate shall consider all matters proposed by the Chancellor, faculty committees, or individual faculty members after such matters shall have been placed on the agenda of a regular meeting by the executive committee. Topics may be placed directly on the agenda of a meeting, without concurrence of the executive committee, by formal proposal from the Chancellor, by a vote of a majority of the senators present and voting at a meeting, or by a petition signed by ten or more faculty members.

Section 4. Quorum for Meetings.
A quorum for any meeting of the Senate shall be one more than half the full membership of the Senate.

ARTICLE VI. The Faculty Senate: Committees.
Section 1. Faculty Senate Standing Committees.
Standing committees of the Faculty Senate will be established to carry out the faculty's role, as defined in ARTICLE II, Sections 2, 3 in this constitution in the formulation and implementation of university policy about academic and educational activities, faculty personnel matters, and immediate governance of the institution in accordance with Wisconsin Statutes 36.09(4). The charter for each of these committees will be approved by the Faculty Senate consistent with the procedure for amending the bylaws of the Faculty Senate.

The Senate shall create other standing committees as it considers necessary to assist it and the faculty in formulating policies and making decisions in areas of faculty concern. The process of establishing a charter for each of these committees will be the same as that described above.

Section 2. Special Faculty Committees.
The Senate shall create such ad hoc committees as it considers necessary to assist it in formulating policies and making decisions on special problems.

ARTICLE VII. Joint Committees.
Section 1. Purpose.
University level matters which are not the primary responsibility of faculty, students, or administration may be considered by tripartite committees. The Senate will select faculty representatives for each committee and may review the committees' reports.

ARTICLE VIII. Department or Equivalent Unit Affairs.
Section 1. Purposes.
The faculty constitution shall establish university-level policies, and college and department or equivalent unit bylaws shall establish the framework and specific policies and procedures by which departments and equivalent units can maintain stability, strength, and growth. Such bylaws shall establish policies and procedures by which members shall participate in unit affairs, and by which faculty shall exercise their responsibility for unit governance and their primary responsibility for academic and faculty personnel matters.

Section 2. Organization.
In considering organizational changes in paragraphs A through D of this section, the faculty shall recognize the Chancellor's responsibility for designing curriculum in consultation with the faculty.

A. Each department or equivalent unit that is recognized as such at the time this constitution goes into effect shall continue to be so recognized and to retain the same college affiliation. A different organization or affiliation shall be established only through consultation between the Chancellor and the department or equivalent unit and, if necessary, the college or colleges directly involved.
Faculty Constitution

B. The removal, elimination, transfer, or reorganization of existing departments or equivalent units, or the addition of new ones to a college, shall occur only through consultation between the Chancellor and the faculty of each college or school. Procedures for such changes, when they occur within a college or school, shall be established by the bylaws of each college or school.

C. In event of reorganization between existing colleges or formation of a new college by existing departments, the following process shall apply:

1. Faculty members from within the department(s) seeking to move out of their current college, or any other body seeking an intercollegiate reorganization (e.g., Faculty Senate), shall approve a formal motion or resolution to endorse the reorganization.

2. Each department seeking to move shall simultaneously submit a formal written request, along with supporting rationale and evidence, to the Provost and Vice Chancellor and to the Faculty Senate.

3. The Provost and Vice Chancellor shall forward copies of the written request to the deans of any college directly affected and request recommendations from the colleges and set a deadline for such recommendations. This deadline should allot a minimum of three months for the colleges to collect data for decision-making as noted in step 4 below. Further, it should ensure that the process for obtaining the faculty recommendation (i.e., information-sharing and the referendum or vote) is conducted during an academic semester to allow for maximum participation of the faculty.

4. The dean(s) shall provide a three-year financial history of the unit(s) seeking to move to faculty of the affected colleges and to the Faculty Senate. Financial disclosure will include budgeted funds and actual funds received by the department, expenditures, revenues, FTE salaries, and any other relevant information. The deans shall also address considerations with respect to the effect of the move on issues such as costs, students, physical space demands, and culture.

5. The dean(s) shall request a recommendation from the college faculty in accordance with the college by-laws or as agreed upon by the faculty.

6. Following the college faculty recommendation(s), the dean(s) and the Faculty Senate shall make recommendations to the Provost and Vice Chancellor by the deadline established in step 3 above. The recommendation(s) of the deans shall include a budget allocation proposal which outlines the details of the financial implications of moving the department(s), the terms for reallocating budget, and a rationale for the proposed terms.

7. Within 20 days, the Provost and Vice Chancellor shall make a decision to accept or reject the department(s) request and, if accepted, establish budget allocation rules. As a guiding principle, the Provost and Vice Chancellor will seek to reach an agreement where neither college’s financial situation is made better or worse off as a result of the move itself.

8. A written appeal by any college directly affected by the move, or by departments themselves, must be made to the Chancellor within 10 days of the Provost and Vice Chancellor’s decision.

9. The Chancellor shall respond to the appeal with a written decision within 20 days.

10. If the move is approved in either step 7 or step 9 above, the terms of transition shall be negotiated by the faculty and administrators directly involved in the move. A formal written agreement regarding the terms of the transition will be approved by the parties involved within 30 days.

D. A professional, non-teaching faculty unit not associated with a college, but organized as a department at the time that this constitution goes into effect shall continue to be identified as a
Faculty Constitution

department. A different organizational structure shall be established only through consultation
between the Chancellor and the members of the unit. Procedures for such changes shall be
established in the unit bylaws. Faculty personnel who hold limited appointments in
non-teaching units may be voting members of those units if the unit bylaws allow that.

E. Effective with the date of the ratification of this constitution each academic program not ass oc-
iated with a particular college or school shall function independently of ARTICLE VIII for a
three-year experimental period, during which time the faculty of the program, the university's
chief administrative officer for academic affairs, and the appropriate Faculty Senate commit-
tee(s) shall participate in its development. It is recognized that such programs may require
considerable flexibility in staffing and that faculty may participate in such programs at less
than full time. All faculty who participate in the development of such programs shall, however,
serve as advisors to the program and shall be asked to share in their evaluation. After three
years, the academic program shall be evaluated by the program faculty, and the appropriate
administrative official, and Senate committee to determine whether it should be made perma-
nent. If so, the program faculty shall establish bylaws and, after consultation with the Faculty
Senate and the proposed parent body, recommend to the Chancellor a permanent affiliation
for the program.

Section 3. Department or Equivalent Unit Membership.

Faculty members shall be voting members of the department or equivalent to which they are assigned
for the greatest part of their time. Those whose time is divided equally between two or more such units
shall choose voting membership in one of the units. The choice is to be communicated to the Exec u-
tive Committee of the Faculty Senate. Faculty members may be non-voting members of other units in
accord with the bylaws of those units.

A. Membership in a unit is limited to faculty members as defined in ARTICLE I of this constitu-
tion.

B. Assignment of personnel to a teaching or professional unit in which they have not been ten-
ured shall require approval by a majority of the faculty members of that unit and of the person
assigned.

C. Non-teaching chairpersons and equivalent unit leaders shall be voting members of their units.

D. Administrators who hold a limited appointment shall not be voting members of a department or
equivalent unit.

E. Only persons holding faculty rank shall be eligible to vote on faculty personnel matters.

F. Faculty members on leave of absence and faculty members on lay-off shall be accorded full
rights under this constitution, in accord with university policy and ARTICLE I, Section 1.

Section 4. Rights and Responsibilities of Department or Equivalent Unit Members.

The faculty of a unit, recognizing the students' role and the Chancellor's responsibilities and authority
in formulating university policy, shall have primary responsibility for the unit's academic and educa-
tional policy, faculty personnel policy, and immediate governance. Faculty primary responsibility shall
include but not be limited to formulation of major and minor requirements; formulation and continuous
evaluation of curriculum; planning and faculty development; full participation in unit decisions about
recruitment, appointment, reappointment, tenure, promotion, salary. The faculty of a unit shall have
the right to participate fully in unit governance. The faculty of a unit shall also have the right to partici-
pate actively in determining policies about teaching assignments, budgets, and all other such depart-
ment matters. Each voting member of the unit shall have an equal voice in governance. Unless specif-
ically prohibited elsewhere in this constitution or in university policies as defined in ARTICLE X, Sec-
tion 4 of this constitution, the decisions of the majority of eligible voting members of the unit shall be
the decisions of the unit. Implementation of this principle shall be provided by unit bylaws.

Section 5. Responsibilities of Department Chairperson or Equivalent Faculty Leader.

Each department or equivalent unit shall have a faculty leader nominated by the department or
equivalent unit and appointed by the Chancellor.
Faculty Constitution

A. The chairperson or equivalent unit leader is responsible for seeing to it that provisions of the unit bylaws, those policies, procedures, and decisions made by the faculty in unit meetings, and university policies as defined in Article X, Section 4 of the Faculty Constitution are discharged. Unit actions shall be in accord with university policies. The chairperson or equivalent shall keep the unit informed about all matters of importance to it. The unit leader shall bring to the attention of the unit faculty their responsibility for immediate governance of the unit, and their primary responsibility for faculty personnel, educational and academic matters, and the necessity for developing unit policies about those matters. If the chairperson or equivalent unit leader acts without consultation with the members of the unit, he or she shall inform all members of the reason for said actions. These actions shall be subject to review by the members.

B. The chairperson or equivalent unit leader shares with the faculty of the unit the responsibility for seeing that the unit bylaws and governance policies are observed.

C. The chairperson or equivalent unit leader shall discharge those duties and responsibilities required by university policies and procedures and shall carry out those duties in accordance with the provision of ARTICLE X of this constitution.

Section 6. Selection of Department Chairperson or Equivalent Unit Leader.

The unit leader shall be nominated by a majority of the eligible voters who cast ballots and shall be appointed by the Chancellor. If a nominee is not accepted by the Chancellor, another nominee shall be selected until the appointment is made.

A. A chairperson/equivalent shall hold the rank of assistant professor or higher in the department or equivalent unit.

B. The term of office for chairperson/equivalent shall be three years.

C. The chairperson/equivalent shall be nominated during March, appointed as soon thereafter as possible. The individual Colleges, through their normal governance processes, determine the date of the Chair/equivalent transition, which will be no sooner than the end of the 17th week of the spring semester in which the election was held.

D. The nomination of a chairperson/equivalent shall be by secret ballot and shall be conducted in accord with procedures established in college bylaws.

E. A unit may remove a chairperson/equivalent for good and sufficient reasons by a vote of two-thirds majority of eligible voting faculty. The Chancellor shall have the right to request that the unit conduct such vote. The recall election shall be conducted according to procedures established in college bylaws.

F. Should the office of chairperson or equivalent become vacant, the office shall be filled for the remainder of the unexpired term by a chairperson/equivalent chosen by special nomination which shall be held within ten days after the vacancy occurs, and shall be conducted according to the relevant provisions of this article of the constitution. College bylaws shall establish procedures for the nomination and appointment of an acting chairperson or equivalent to fill a vacancy that occurs during a period when the legal voters of the unit are not required to be on campus for professional or teaching responsibilities.

Section 7. Unit Bylaws.

Each governance unit covered by this article shall establish written bylaws consistent with the Faculty Constitution. The bylaws shall create a democratic government for the internal operation of the unit. Unit bylaws must be approved by a majority of the eligible voters who choose to vote.

A. Bylaws approved by a department or equivalent governance unit shall be reviewed by the Faculty Senate for consistency with the constitution and shall take effect when they have been accepted by the Senate.

B. Members of units shall review their bylaws at least every five years.
Faculty Constitution

This article sets forth principles meant to assure the faculty its proper role in college and school affairs.

Section 2. College and School.
Faculty members shall be voting members of the college or school to which they are assigned for the greatest part of their time. Those whose assignment is divided equally between two or more such units shall choose voting membership in one of the units. The choice is to be communicated to the Executive Committee of the Faculty Senate and to the appropriate unit. Faculty members may be non-voting members of other units in accord with the bylaws of those units.

A. Administrators who hold a limited appointment shall not be voting members of a college or school.

B. A faculty member may be a non-voting member of other colleges or schools in accord with the bylaws of those schools or colleges.

C. Membership in a college or school is limited to faculty members, as defined in ARTICLE I, Section 1 of this constitution.

D. A faculty member may be a member of both an undergraduate college and a graduate program.

Section 3. College and School Bylaws.
Each school or college covered by this article shall establish written bylaws consistent with the Faculty Constitution. The bylaws shall be drafted by an elected committee, approved by a majority of the eligible voters who choose to vote, and shall become effective after acceptance by the Faculty Senate.

A. School and college bylaws shall specify procedures for faculty governance. The bylaws shall provide for the exercise of faculty responsibility for the immediate governance and of primary faculty responsibility for academic and faculty personnel matters. The bylaws shall provide for a procedural relationship between the college and the appropriate committees of the Faculty Senate. College committees that deal with academic, personnel, or governance matters shall be elected and shall be chaired by an elected faculty member.

B. Members of the faculty shall review their school or college bylaws at least every five years.

Section 4. Selection of Deans and Equivalent Administrators.
Search and screen committees for deans and equivalent administrators of faculty units shall be composed of at least 60% faculty members elected in accordance with the faculty unit bylaws. In the case of Libraries and Learning Resources, faculty from outside that unit, chosen by the Faculty Senate, may be included in the faculty membership of committees under this section, in which case, at least one-half of such membership shall be faculty from Libraries and Learning Resources elected under that unit's bylaws.

ARTICLE X. Sources of Parliamentary Rules Governing the Faculty.
The sources of parliamentary rules governing the faculty shall be the following:

Section 1. The constitution and statutes of the United States.

Section 2. The constitution and statutes of the State of Wisconsin.

Section 3. The resolutions and policies of the Board of Regents of the University of Wisconsin System.

Section 4. University Policies that have been developed jointly and approved by the Faculty Senate and the Chancellor.

Section 5. The Faculty Constitution.

Section 6. The bylaws and adopted procedures of the Faculty Senate, colleges, schools, departments or equivalent units.


ARTICLE XI. Amendments.
Faculty Constitution

Section 1. Proposal of Amendments.

Amendments to this constitution may be proposed to the faculty by a two-thirds majority vote of all members of the Faculty Senate at any regular meeting, provided that a written copy of the proposed amendment shall have been presented to the Senate at a meeting at least one month prior to the time at which a vote on the amendment is to be taken. Amendments to this constitution may also be proposed by means of a petition signed by one-tenth of the faculty membership, as defined in ARTICLE I, except for administrators with limited appointments.

Section 2. Hearings on Proposed Amendments.

The Faculty Senate shall conduct hearings on any amendment proposed to this constitution before any action on such amendment shall be considered.

Section 3. Ratification of Amendments.

Amendments to this constitution will become effective after ratification by a two-thirds majority of eligible voters who exercise their voting rights. The eligible voters shall be members of the faculty as defined in Article I, excluding those with limited appointments. Each faculty member shall be sent a copy of the proposed amendment a minimum of four weeks before the amendment is voted upon for ratification. The vote shall be by secret ballot in a special election.

ARTICLE XII. Ratification.

Section 1. This constitution shall be considered ratified and shall become effective when it has been approved by a two-thirds majority of the eligible voters who exercise their voting privilege. The eligible voters shall be members of the faculty, as defined in ARTICLE I, excluding those with a limited appointment. The vote on ratification shall be by secret ballot in a special election.

Section 2. When this constitution shall be approved by the necessary two-thirds vote, the constitution adopted in 1964 shall be repealed and this constitution shall become effective. All actions taken in accordance with the constitution of 1964 shall have continuing validity and application unless they conflict with the provisions of this constitution or actions taken subsequently under the provisions of this constitution.
GOV 2. BYLAWS OF FACULTY SENATE.

ARTICLE I. Membership, Terms, Constituencies.

Eligibility for Faculty Senate membership is defined in the Faculty Constitution (III,1); the current constituencies are: College of Business Administration, College of Education and Human Services, College of Letters and Science: Fine and Performing Arts, College of Letters and Science: Humanities Division, College of Letters and Science: Mathematics and Natural Science Division, College of Letters and Science: Social Science Division, combined College of Nursing and service faculty assigned to non-college units; terms of office, provision for staggered election and the ratio of Senators to faculty are defined in the Faculty Constitution (III,2-3).

ARTICLE II. Senate Elections.

Section 1. General Conduct of Elections and Referenda.

A. For any regular election the eligible voters shall be instructed that their ballots shall be cast in person in the Faculty Senate Office or other official polling place designated by the Senate, or according to prescribed procedures for absentee ballots. The faculty member will be required to identify himself/herself to the person on duty, who will check off the name of the voter from the complete list of eligible voters and direct the voter to deposit her/his ballot in a box which shall be sealed during the entire election period except for the ballot slot. For each election the voting place shall be open from 8:00 A.M. to 4:30 P.M. on two consecutive days announced at least one week in advance. The Elections Committee shall ensure privacy of the ballots.

B. Ballots shall be counted by the Elections Committee or its designee(s) in the Faculty Senate Office within twenty-four hours after the close of the election, usually at 4:30 on the closing day of the election. Observers are welcome at the counting procedure. The Elections Committee shall inform the faculty of the time of vote counting in the announcement of time and place of election.

C. A complete tabulation of the election result shall be presented by the Elections Committee to the Faculty Senate at its next meeting. If there is no challenge of the election results within ten working days after the Senate meeting at which the tabulation is presented, the Elections Committee may destroy the ballots.

D. The Elections Committee will inform the university community of the results of the election within one week after the vote count. Results of referenda together with the number of votes for each alternative shall be reported within one week of the vote.

Section 2. Procedures for Regular Election of Senate Members.

A. On or before the eighth week of the spring semester, the Elections Committee shall determine the complete list of eligible faculty, pursuant to Article III, Section 3,A, of the Faculty Constitution.

B. The Elections Committee shall prepare a primary ballot showing the complete list of eligible faculty who are willing to serve, listed separately according to constituency, pursuant to Article III, Section 3,B, of the Faculty Constitution.

C. At least one week prior to election each eligible voter shall be sent a notice of the time and place of the election and the names of all candidates. In the primary election eligible voters shall be instructed to vote for no more than one person for each vacancy in her/his constituency. Write-in votes shall be permitted. Ballots will be cast in the Faculty Senate Office (or other official polling place) as described in Section I, above. Absentee ballots from eligible voters who are unable to come to the polls will be accepted. Candidates who are not opposed in the primary election, and who receive votes from their constituency, will be elected to the Senate.
D. From the results of the primary election, the Elections Committee shall prepare final ballots for each constituency with a vacancy. If a write-in candidate receives the requisite number of votes in the primary election, the Elections Committee must ascertain willingness to serve before the name is placed on the final ballot. For each constituency, names on the final ballot shall be those receiving the greatest number of votes on the primary ballot for that constituency. The final ballot for each constituency shall list no more than two names for each vacancy, except in cases of a tie for the second-largest number of votes, in which case the names of those tied shall be listed. (Article III, Section 3,B.) Write-in votes will be counted. Absentee ballots from eligible voters who are unable to come to the polls will be accepted.

E. The final balloting shall take place before the twelfth week of the spring semester. Eligible voters shall be instructed to vote for no more than one person for each vacancy in their constituency, and to cast their ballots as described in Section 1, above.

F. In case of ties on the final ballot, repeated elections shall be conducted until all positions are filled. (Article III, Section 3,C.) Election procedures shall be pursuant to Section 1 above.

G. Regularly elected Senators serve for a three-year term of office commencing with the fall semester following their election. (Article III, Section 3,D.)
vote of the members present and voting shall be declared elected. If no majority is achieved balloting will be repeated, eliminating the lowest vote-getter each time until a majority is achieved.

Section 4. Vacancies in office are filled pursuant to Article IV, Section 2, C and D of the Faculty Constitution. When a vacancy occurs in the office of president-elect, the Executive Committee will name a nominating committee, subject to approval of the Senate. As provided in Section 1 above, the nominating committee will present a candidate or candidates within two meetings and the Senate will vote as prescribed in Section 2. Vacancies for members-at-large will be filled pursuant to Section 3.

ARTICLE IV. Senate Officers.

The powers and duties of Senate officers are delineated in Article IV, Section 1, of the Faculty Constitution.

ARTICLE V. Senate Meetings.

Faculty Senate meetings are governed by the provisions of the Faculty Constitution, Article V, Sections 1-4; relevant portions of these bylaws; and by the parliamentary code.

ARTICLE VI. Disposition of Business.

Section 1. The agenda shall be prepared by the Executive Committee and distributed to Senators at least two days prior to any meeting. Items may be placed on the agenda pursuant to The Faculty Constitution, Article V, Section 3.

Section 2. The agenda will normally consist of approval of the minutes, reports of officers, committee reports, old business, new business, adjournment. Reports should be presented in writing whenever possible. The Senate may discuss any item on the agenda.

Section 3. A motion on an item of new business introduced for the first time shall not come to a vote unless the Senate votes by a two-thirds majority to suspend the rules and to act on that motion.

Section 4. Every bill presented for Senate action should consist of two parts: the Rationale and the Action. The Rationale should consist of a concise presentation of reasons supporting the action. The Action should be restricted to a presentation of the Senate actions proposed by the bill's author(s). Although both parts may be debated, only the Action may be amended or otherwise modified, and only the Action shall be subject to a vote.

Section 5. When a bill is passed, its Action becomes a Resolution and receives a standardized identification which shall include an indication of the academic year in which it was passed. All Resolutions will be numbered consecutively from the beginning of each academic year, and this number will also be included in the standardized identification. Only substantive as opposed to procedural motions approved by the Senate will become Resolutions.

Section 6. Bills will normally be taken up in the order of their presentation to the Senate, unless the Executive Committee reorders the agenda, or the Senate votes to re-order the agenda.

Section 7. Senate Resolutions requiring the attention of the Chancellor shall be sent to her/him by the Executive Committee, accompanied by a cover sheet prepared by the Executive Committee for the purpose of keeping a record of the further disposition of the matter.

ARTICLE VII. Committees of the Senate.

Section 1. Executive Committee.

A. The composition, powers and duties of the Executive Committee are defined in the Faculty Constitution, Article IV.

B. Pursuant to Article IV, Section 1,B,C,D, and Section 5,A, other duties of the Executive Committee shall include the following:

The Executive Committee shall monitor procedures in grievance actions to determine whether they are in compliance with relevant government documents of the University of Wisconsin Oshkosh, including the Faculty Constitution, Personnel Rules, guidelines promulgated for personnel issues, and relevant bylaws. The Executive Committee shall ensure that governance practices in the university are consistent with the Constitution. It will report instances of non-compliance and/or inconsistency in procedures and practices to the Faculty Senate.
Section 2. Constitution and Bylaws Committee.

Pursuant to the Faculty Constitution, Article VI, Section 2, the Constitution and Bylaws Committee is established by these Senate Bylaws.

A. Responsibility - The Constitution and Bylaws Committee will regularly review the Faculty Constitution and the Faculty Senate Bylaws and propose changes as needed to the Faculty Senate. Questions of constitutionality and of Faculty Constitution and Faculty Senate Bylaws interpretation will be referred to the Constitution and Bylaws Committee. It will make recommendations to the Faculty Senate which, by majority vote, will make determinations about constitutional questions. The committee will review college, school, department, or equivalent unit bylaws for consistency with the Faculty Constitution. It will make recommendations for revision if necessary to the unit, or, if the proposed bylaws are found to be consistent with the Constitution, it will make a recommendation to the Senate for acceptance.

B. Membership - The Constitution and Bylaws Committee will have four (4) members. Three (3) will be senators elected by the Senate at the beginning of the Fall Term. Nominations will be made by the Executive Committee; other nominations may be made from the floor. Upon election, members will serve for the duration of their current terms on the Senate. The Senate past president will serve as non-voting, ex-officio member of the committee.

C. Chair - The committee chair will be elected by the committee for a one-year renewable term.

D. Reporting - The committee will report to the Faculty Senate.

Section 3. Elections Committee.

Pursuant to the Faculty Constitution, Article VI, Section 2, the Elections Committee is established by these Senate Bylaws.

A. Responsibilities of the Elections Committee - Election of Faculty Senators: The Elections Committee will conduct elections of faculty senators and reappor tion representation on the Senate in accordance with provisions of the Faculty Constitution and the Faculty Senate Bylaws.

Referenda and Ratification Votes: The Committee will conduct university-level faculty referenda and constitutional ratification votes in accordance with provisions of the Faculty Constitution and the Faculty Senate Bylaws.

B. Membership - The Elections Committee will have three members from the Faculty Senate, elected by the Senate early in the fall term. The Faculty Senate Executive Committee will nominate three senators for Senate approval. Nominations may also be made from the Senate floor.

C. Chair - The chair will be chosen by the committee.

Section 4. Committee on Committees.

Pursuant to the Faculty Constitution, Article VI, Section 2, the Committee on Committees is established by these Senate bylaws.

A. Responsibilities of the Committee on Committees

1. Faculty Survey - The Committee on Committees will survey the faculty no later than March 1 of each year to determine interest, experience, and qualifications for service on preferred committees.

2. Appointment of Committees - The Committee on Committees will recommend for Senate confirmation faculty members for all university standing and ad hoc committees. The chair of the Committee on Committees will report to the faculty the names of faculty committee members.

3. Evaluation - The Committee on Committees will initiate a process of evaluating each committee. It will report its findings with recommendations to the Faculty Senate. At least every five years after the initial evaluation, the Committee on Committees will evaluate committee functions and report its findings with recommendations to the Senate.
B. Membership - The Committee on Committees will have nine (9) members. Eight (8) will be faculty elected early in the Spring term by the Faculty Senate, one each from Humanities, Fine and Performing Arts, Social Science, Math/Science, Business, Education, and the combined areas of Nursing and Services. The Faculty Senate Executive Committee will prepare a slate of candidates, being diligent to include women and minorities, from the list of faculty who have expressed an interest in serving. Nominations may also be made from the Senate floor. The members will serve three-year terms staggered by lot at the initial meeting. A Faculty Senate Executive Committee's member-at-large will be an ex-officio member of the committee. No individual may serve more than two consecutive terms on this committee.

C. Chair - The chair of the Committee on Committees will be elected by the committee from among the eight elected members. The chair will serve a one-year term renewable by election for a maximum of three consecutive terms. The chair is responsible for: facilitating committee meetings; conducting the election for chair in the Fall; and informing the Faculty Senate office of resignations of committee members and changes in the committee chair.

D. Reporting - The chair of the Committee on Committees will report to the Faculty Senate.

Section 5. Nominating Committee.
The Nominating Committee is described in these bylaws, Article III, Section 2.
(See GOV 3 for a list of additional Faculty Senate committees.)

Section 6. Ad Hoc Committees.
Ad hoc committees may be created by the Faculty Senate, pursuant to Article VI, Section 3 of the Faculty Constitution.

Section 7. Combined Meeting of Committee Chairs.
At least once each semester the Faculty Senate president shall convene a combined meeting of all chairs of the Committees of the Senate (ARTICLE VII), and all chairs of Faculty Senate Committees (GOV 3). The purpose of the meeting is for the president to review and assess committee activities. Committee chairs shall advise the president on matters of productivity and efficiency of all faculty governance committees. Committee chairs shall report to the president on all committee activities and the success of their committee in fulfilling committee responsibilities. The form and frequency of chair reports will be at the discretion of the President. The combined meeting of committee chairs shall have no policy making authority.

ARTICLE VIII. Faculty Committees.
The present committee structure will be maintained until the faculty approves a revised committee structure, pursuant to Article VI, Section 1, of the Faculty Constitution.

ARTICLE IX. Amendments to the Bylaws.
Proposed amendments to the bylaws shall be submitted to the Constitution and Bylaws Committee of the Faculty Senate. The Committee shall review the proposed amendment and place it on the agenda of a regular or special session of the Faculty Senate. Written copies of the proposed amendment, with the Committee's recommendations, shall be distributed to Senate members at least three days before a regular or special session of the Senate and must be approved by a majority of the members present and voting.

ARTICLE X. Ratification of the Bylaws.
Ratification and adoption of these bylaws shall be by a majority vote of the Faculty Senate.
Faculty Senate Committees

GOV 3. FACULTY SENATE COMMITTEES.

The following committees serve the University at large by studying particular areas of faculty concern and making recommendations to the administration through the Faculty Senate. These faculty standing committees, as distinct from ad hoc and departmental and divisional committees, are appointed by the Committee on Committees of the Faculty Senate from a list of volunteers compiled by questionnaire. Appointments are made annually, in the fall, on a three-year rotational basis—one third of each committee membership eligible for replacement or reappointment each year. The number of members staffing a committee varies in some cases as needs dictate.


A. Responsibilities - The Academic Policies Committee, subject to Senate approval, will carry out the faculty's responsibility for the academic policies and programs of the university. For more specific information, see the Faculty Senate Academic Policies Committee document approved by the Faculty Senate on March 1, 1994 (name changed - September 13, 1994) (Revised October 11, 1994).

B. Membership - Membership will include two faculty senators appointed by the Senate; three faculty members recommended by the Committee on Committees and appointed by the Senate; five faculty members representing the curriculum committees of each of the four colleges and the Graduate Studies Course Approval Committee; three students (2 undergraduate; 1 graduate) appointed by OSA; and one academic staff member appointed by the Senate of Academic Staff. The Provost and Vice Chancellor or his or her designate will serve as a liaison and as a non-voting member. Terms of the representatives from college curriculum committees and the Graduate Studies Course Approval Committee will be determined by those committees. Terms of Senators will be their terms as senators. The three at-large faculty will serve three-year staggered terms. It is recommended that the Senate of Academic Staff appointment be a instructional academic staff appointment.

C. Chair - The chair of the Academic Policies Committee will be elected by the Academic Policies Committee. The term will be for one year, renewable for a maximum of three years.

Gov 3.2. University Studies Committee

Charge - The University Studies Committee is responsible for the management, review, assessment, and approval of courses for the University Studies Program. In carrying out this general charge, the committee will periodically review university studies requirements and curriculum and will formulate and recommend any policy changes it deems appropriate. The committee will develop criteria for approving courses that satisfy University Studies requirements.

The University Studies Committee will participate in any University-wide process to assess, plan or change the University Studies Program. Any proposals concerning the University Studies Program originating outside of the University Studies Committee will be received and considered by the committee. The committee may hold hearings on the University Studies Program or on any proposals concerning it and may submit proposals to a faculty referendum.

All actions of the committee will be determined by a majority vote of the committee. All actions affecting the University Studies Program will be determined by recorded vote of the committee.

The committee will forward its recommendations directly to the Faculty Senate. As it deems appropriate, the committee may send its recommendations to other governance groups, such as the Chair of the Academic Policies Committee (APC), the University Registrar, the President of Faculty Senate, the Chair of the University Assessment committee and the Provost.
Faculty Senate Committees

The Faculty Senate and/or the Academic Policies Committee may assign other tasks concerning the University Studies Program to the University Studies Committee.

Membership - The committee consists of thirteen (13) members: seven (7) faculty appointed by the Faculty Senate (to ensure that all three Professional Colleges and all four divisions of COLS are represented); one (1) Director of the University Studies Program; one (1) academic staff appointed by the Senate of Academic Staff; one (1) Director of the First Year Experience; one (1) Chair of the Faculty Senate Assessment Committee; one (1) non-voting Provost Administrative Representative; and one (1) undergraduate student appointed by the Oshkosh Student Association. The seven (7) faculty members will serve three-year staggered terms so that the terms of all seven (7) do not end at the close of the same academic year. On first implementing staggered terms four (4) faculty will serve for two (2) years and three (3) faculty will serve for three (3) years. Academic staff terms will be for two (2) years. The Director of the University Studies Program, the Director of the First Year Experience, the Chair of the Faculty Senate Assessment Committee; and The Provost’s Administrative Representative will serve indefinite terms for the duration of their respective appointments. The student term will be for one (1) year. If a member does not attend meetings for a semester, that member’s position will be deemed vacant and filled as specified above.

Chair - The Chair of the University Studies Committee will be elected by the members of the committee at its first meeting in the new academic year. The Chair must be a faculty member. The term of the Chair will be for one (1) year renewable for a maximum of three (3) years. The Chair serves on Academic Policies Committee (APC) and may be on additional APC committees.

Reporting - The Chair of the University Studies Committee will forward a copy of the minutes of meetings to the President of the Faculty Senate.

GOV 3.3. Administrators Evaluation Committee.

A. Responsibilities - The committee will ensure faculty participation in the evaluation of administrators as specified in The Faculty Senate Constitution Article II Section 6. Specific procedures for providing participation in the evaluation of administrators above the Dean's level will be recommended to the Faculty Senate. Further it will maintain and publish a schedule for evaluation of academic administrators at and above the Dean’s level and will recommend to the Senate changes in policies for the provision of faculty participation in the evaluation of administrators.

B. Membership - The committee will consist of seven (7) faculty members with rotating three-year terms. At least one member of the committee will be a member of the Faculty Senate. The Committee on Committees will recommend potential committee members with final appointments being made by the Faculty Senate.

C. Chair - The chair of the committee will be elected by the committee from among the members. The chair will serve a one-year term renewable by election for a maximum of three consecutive years. The chair is responsible for: facilitating committee meetings; conducting the election for chair in the Fall; and informing the Faculty Senate office of resignations of committee members and changes in the committee chair.

GOV 3.4. Assessment Committee.

A. Responsibilities - Coordinate assessment efforts including (but not limited to) assessment in verbal and quantitative areas; assessment of general education program; assessment of undergraduate major programs, assessment of graduate programs. Monitor assessment activity including publication of program goals in appropriate documents; integration of assessment into program review; connecting assessment to program improvement. Plan including the development of university assessment plan; the development of professional development opportunities related to assessment; and determining budget requirements and advocating budgetary support for assessment activities.

B. Membership - Twelve members. One faculty member (nominated by Committee on Committees and appointed by the Faculty Senate) from each of these constituencies: Fine and Performing Arts, Social Science, Math/Science, Humanities, Business Administration, Nursing,
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Education (total seven (7) members); one Faculty Senator appointed by the Senate to serve as liaison to the Senate; two students appointed by OSA; one member of instructional academic staff appointed by the Senate of Academic Staff; one member appointed by the Provost and Vice Chancellor. The seven (7) faculty will serve three-year staggered terms. The Senate liaison term will be the same as the term as senator. Student terms will be decided by OSA. The academic staff term will be decided by the Senate of Academic Staff.

C. Chair - The Faculty Senate Executive Committee will select the chair from the membership. The term of chair shall be for one year. The chair may be reappointed up to three years.

GOV 3.5. Budget Committee.

A. Responsibilities - The Faculty Senate Budget Committee will gather and review information and provide advice and recommendations to the Faculty Senate on issues related to the budget.

B. Membership - The committee will have six (6) members with rotating three-year terms. At least one member of the committee will be a member of the Senate Executive Committee. The Committee on Committees will recommend potential committee members with final appointments being made by the Faculty Senate. No one may serve more than three consecutive terms on this committee.

C. Chair - The chair will be chosen by the members. The chair will serve a one-year term renewable by election for a maximum of three consecutive years. The chair is responsible for: facilitating committee meetings; conducting the election for chair in the Fall; and informing the Faculty Senate office of resignations of committee members and changes in the committee chair.

GOV 3.6. Compensation Committee.

A. Responsibilities - Members of the Faculty Senate Compensation Committee serve on the University Compensation Committee. The Faculty Senate Compensation Committee will provide advice and recommendations to the Faculty Senate on issues related to faculty compensation.

B. Membership - The committee will have eight (8) members with rotating three-year terms. At least one member of the committee will be a member of the Faculty Senate. The Committee on Committees will recommend potential committee members with final appointments being made by the Faculty Senate. No member may serve on this committee for more than three consecutive terms.

C. Chair - The chair of the committee will be elected by the committee from among the members. The chair will serve a one-year term renewable by election for a maximum of three consecutive years. The chair is responsible for: facilitating committee meetings; conducting the election for chair in the Fall; and informing the Faculty Senate office of resignations of committee members and changes in the committee chair.

GOV 3.7. Conference Committee.

A. Purpose - The purpose of the conference committee is to clarify and perhaps resolve differences in actions or decisions between the Senate of Academic Staff and Faculty Senate on issues deemed to have significant impact to these governance groups or the institution. The use of a conference committee is guided by the principle that efficient shared governance is accomplished, in part, by the timely collaborative resolution of differing actions or decisions.

B. Procedure

1. When there is an action/decision upon which the Senates take differing positions, a representative from either Senate may request to form a conference committee. The request will be made to any member of the Senate's executive committee.

2. The request would be posed to each executive committee of the Senates and they would decide if they wish to form a conference committee regarding the action/decision in ques-
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3. Representation from each Senate on the conference committee shall be equal with each member of the committee having one equal vote. Each Senate reserves the right to have senator(s) in addition to or in replacement of any member(s) of its executive committee as deemed necessary for the conference committee to do its work.

4. Upon approval to form a conference committee, each Senate agrees to begin the process as quickly as possible to not delay generating a committee proposal.

5. The conference committee will be expected to meet and complete a proposal by the next regularly scheduled meeting of each Senate or within a reasonable time so as not to unnecessarily delay a vote on the proposal.

6. Each Senate will vote on the proposal of the conference committee. Each Senate has two options;
   a. Vote to approve or not approve the proposal as presented by the conference committee.
   b. Ask the conference committee for an amended proposal. The Senates may ask the conference committee only one time for an amendment. When the conference committee returns with an amended or the original proposal, each Senate will vote to approve or not approve.

7. The full senate vote after a. or b. above is final. If the conference committee proposal is not accepted, each Senate agrees to respect the other Senate’s differing action/decision.

All final votes will be forwarded to the appropriate party(ies) as required.

GOV 3.8. Faculty Advocacy Committee.

A. Responsibilities – The Faculty Advocacy Committee works to increase understanding of the work and value of University faculty in the community, among businesses, and with the media and government. The committee addresses issues of representation and perception of the faculty and advocates on different levels for the needs and concerns of the faculty, in support of and in collaboration with the Faculty Senate.

B. Membership – The committee will have at least seven (7) faculty members with rotating three-year terms. Membership will normally include when possible one representative from each major constituency and at least one member of the faculty senate.

C. Chair – The chair will be elected from among the members. The chair will serve a two-year term by election for a maximum of three consecutive terms.

GOV 3.9. Hearings Committee.

Membership and responsibilities of the Hearings Committee are specified in Chapter 9 of the Faculty Personnel Materials in this handbook. All tenured faculty members. Hearing Subcommittees are drawn from the committee.

GOV 3.10. Improvement of Instruction Committee.

A. Responsibilities - The Faculty Senate Improvement of Instruction Committee will recommend university policies on instruction to the Faculty Senate. In cooperation with unit faculty and appropriate university officers, the committee makes recommendations for implementation of improvement and evaluation of teaching. It will maintain communication with appropriate committees and with appropriate university officers and agencies for the purpose of regularly reviewing and making recommendations to the Faculty Senate about matters related to teaching; such matters will include but not be limited to course scheduling, the calendar, use of university facilities, space for instruction, textbook orders, availability of library, computer, and other technological resources for instruction.

B. Membership - The committee will have five (5) faculty members with rotating two-year terms. (At least one member of the committee will be a member of the Faculty Senate) and one In-
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structional Academic Staff member. The Faculty Senate Committee on Committees will rec-
mend potential committee members with final appointments being made by the Faculty
Senate. Academic Staff membership shall be determined by the Academic Staff Committee
on Committees. No one may serve more than three consecutive terms on this committee.

C. Chair - The chair of the committee will be elected by the committee from among the members.
The chair will serve a one-year term renewable by election for a maximum of three consecu-
tive years. The chair is responsible for: facilitating committee meetings; conducting the elec-
tion for chair in the Fall; and informing the Faculty Senate office of resignations of committee
members and changes in the committee chair.

GOV 3.11. Nominations Committee.
The method of selection and the duties of the Nominations Committee are described in Article III, Sec-
tions 1 & 4 of the Faculty Constitution.


A. Responsibilities - The Personnel Policies Committee is responsible for recommending to the
Faculty Senate changes in the personnel rules in order to both improve the quality of the uni-
versity's personnel management process and to assure that the rules conform with applicable
university, system, state, and federal regulations. In addition the Personnel Policies Commit-
tee will provide interpretations of the rules in response to Faculty Senate requests.

B. Membership - The committee will consist of seven (7) faculty members with rotating three-
year terms. No one may serve more than two consecutive terms on this committee. At least
one member of the committee will be a member of the Faculty Senate. The Committee on
Committees will recommend potential committee members with final appointments being
made by the Faculty Senate. The Provost and Vice Chancellor will appoint an administrative
representative as liaison to the committee.

C. Chair - The chair of the committee will be elected by the committee from among the mem-
bers. The chair will serve a one-year term renewable by election for a maximum of three con-
secutive years. The chair is responsible for: facilitating committee meetings; conducting the
election for chair in the Fall; and informing the Faculty Senate office of resignations of commit-
tee members and changes in the committee chair.
Senate of Academic Staff

Academic Staff Governance

GOV 4. ACADEMIC STAFF GOVERNANCE.

GOV 4.1. Academic Staff Governance Rights.

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

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

GOV 4.2. Senate of Academic Staff Bylaws.

Adopted May 1981
Bylaws Revised April 15, 1999
Bylaws Revised October 6, 2000
Bylaws Revised November 1, 2001
Bylaws Revised April 24, 2003
Bylaws Revised April 28, 2005
Bylaws Revised December 15, 2005
Bylaws Revised October 05, 2006
Bylaws Revised March 06, 2008

ARTICLE I. NAME.

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

ARTICLE II. PURPOSES.

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

ARTICLE III. MEMBERSHIP.

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

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

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

ARTICLE IV. TERM OF OFFICE.
Senate of Academic Staff

A. Senators are elected for a three-year term. The term of office begins at the first meeting in May immediately following election or re-election, and expires three years hence on April 30. No Senator can serve more than three consecutive terms.

B. The term of office for members of the Executive Committee is as follows: one year for the President, President-Elect, Secretary and Member-At-Large, and two years for the Vice President.

C. The President-Elect shall assume the presidency at the first meeting in May at the conclusion of a President’s term of office. In the event the President-Elect cannot succeed to the presidency, a former officer who still has a term of service shall be the moderator for the May meeting in the following priority:

1. President
2. Vice President
3. Secretary
4. Member-At-Large
5. Seniority of Senators

D. If a Senator is serving as President-Elect or Vice President and his or her Senator term of office expires, it shall be extended through the end of the President or Vice President term of office. Therefore, the conclusion of the Senator’s term of office will coincide with the conclusion of his or her President or Vice President term of office.

ARTICLE V. ELECTION PROCEDURES.

A. Elections are to be held in the spring of each academic year and completed no later than April 25.

B. The Elections Committee will determine apportionment of each academic staff constituent category via the following formula:

<table>
<thead>
<tr>
<th>Academic Staff Constituent Category FTE</th>
<th>Divided by total FTE</th>
<th>Equals percentage of FTE</th>
<th>Times 15 (number of senate seats)</th>
<th>Equals number of constituent seats to be apportioned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: 141.14 (Instr’l FTE)</td>
<td>Example: 439</td>
<td>Example: 32%</td>
<td>Example: 15</td>
<td>Example: 5</td>
</tr>
</tbody>
</table>

C. Calculation of apportionment will occur at the beginning of the spring semester in each odd-numbered year.

D. Election ballots will be collected and tabulated in the Senate office, with oversight by the Election Committee. The candidate or candidates, depending on the number of constituent seats on the ballot, who receive the highest number of votes, a plurality, within each constituent category, are elected to a term of office.

E. Senate vacancies: In the case of a Senate vacancy prior to the next election, the President will appoint the next highest vote getter in the appropriate category to fill the remainder of term. If no one is able to serve who had been on the ballot, the President may appoint any eligible academic staff member in the appropriate category.

F. Referendums: In order to place a referendum question on a Senate election ballot, the Senate must approve the referendum question by a simple majority vote.

ARTICLE VI. OFFICERS AND EXECUTIVE COMMITTEE.

The President, President-Elect, Vice President, Secretary, and Member-At-Large shall constitute the
Senate of Academic Staff

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

A. President - Calls meetings of the Senate; presides over the Senate; coordinates activities; is a member of the University Compensation Committee, the Provost’s Administrative Staff, and U-PLAN; communicates with the Chancellor, the Faculty Senate, and the Oshkosh Student Association and Classified Staff Advisory Council on a regular basis; and prepares an annual report of Senate activities for distribution to all academic staff at the end of his or her term. The President calls and presides over meetings of the Executive Committee and may act for the Executive Committee when it is not available.

B. President-Elect – Represents the Senate at meetings as designated by the President, and is a member of the University Compensation Committee and U-PLAN. The President-Elect takes the place of the President when the President is not available.

C. Vice President - Chairs the Committee on Committees and is a member of the University Compensation Committee.

D. Secretary - Keeps minutes of the Senate meetings, coordinates the Senate website with the Senate webmaster, maintains the Senate Bylaws and prepares communication as needed.

E. Member-At-Large - Chairs the Election Committee. A Senator serving his or her first term is preferred. It is preferred that the Member-At-Large serve as the Senate representative to the Faculty Senate, Oshkosh Student Association and/or the Classified Staff Advisory Council.

F. The Executive Committee - Acts for the Senate when the Senate is not in session or when emergency situations or special circumstances warrant such action, e.g., limited decision time or special requests.

ARTICLE VII. MEETINGS.

A. Regular and special meetings will be called by the President as deemed necessary.

B. A quorum for any meeting of the Senate shall be eight (8) members.

C. All official resolutions introduced in the Senate will be numbered according to the year and the order of the resolution, e.g., SAS0607-01 would be used to number the first resolution introduced in the 2006-2007 academic year.

D. Any dispute regarding meeting procedures shall be resolved by reference to Sturgis Standard Code of Parliamentary Procedure unless otherwise covered by the Senate Bylaws. The President will appoint a member of the Senate as Parliamentarian at the first meeting in May.

E. Attendance: Senators must attend at least 75% of the regularly scheduled meetings in a given academic year to retain their seat. The President may identify persons with a low attendance and the Senate may remove them from office by an affirmative, secret ballot vote of two-thirds of the membership of the Senate. The President will appoint the next highest vote getter from the most recent election in the appropriate category to fill the remainder of term. If no one is able to serve who had been on the ballot, the President may appoint any eligible academic staff member in the appropriate category. Proxy or absentee voting is not allowed.

F. Leave of absence: If a Senator knows he or she will not be able to attend meetings for a period of time, he or she may request a leave of absence from Senate duties. This request is acted upon by the Executive Committee. The President will appoint an eligible academic staff member to serve the Senate during the absence. Such a replacement has full voting rights and privileges. Leaves may be requested for up to one academic year. Senators expecting a longer leave are encouraged to resign their Senate seat.

ARTICLE VIII. COMMITTEES.

A. Election Committee: Comprised of the Member-At-Large (who will serve as chair) and two (2) Senators who serve for one election cycle and are recommended by the Senate and appointed by the President in the fall preceding the spring election. The committee’s charge is to
Senate of Academic Staff

conduct general election of Senators and the internal Executive Committee election. This includes recruitment of potential candidates, ballot creation, and vote counting. The committee will resolve conflicts concerning placement of academic staff in respective constituent categories. Members of this committee may not be on the ballot. If a committee member decides to run for the Executive Committee, he or she must resign from the committee prior to the Executive Committee election.

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

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

D. Professional Development Committee: Comprised of four (4) academic staff members who serve for three years with a maximum 2 consecutive terms and are recommended by the Senate and appointed by the President; the Faculty Development Board chair (who will serve as chair); and the Director of Grants. The committee reviews and makes funding recommendations for the Academic Staff Professional Development component of the Faculty Development Board. Recommendations are forwarded by the Faculty Development Board to the Provost for action.

E. Instructional Academic Staff Committee: Comprised of the Senators from the Instructional Academic Staff category. The committee’s charge is to examine and identify issues specific to Instructional Academic Staff and bring to the attention of the Senate those issues. The committee will elect its own chair.

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

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

ARTICLE IX. REPRESENTATIVES TO OTHER LEADERSHIP GROUPS.

The Senate will appoint representatives to the following:

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

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

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

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

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

ARTICLE X. CHANGING THE BYLAWS.

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

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

GOV 4.3. Senate of Academic Staff.

A. Election of Senate Members.

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

B. Functions.

The Senate of Academic Staff shall have the following functions:

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

C. Hearing Committee.

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

1. Membership.

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

(a) The three members shall be chosen from the Senate by the president, using random selection procedures. The chairperson of the hearing committee shall be appointed from among these three by the president.

(b) The president of the Senate shall not serve as a member of any hearing committee.

(c) No member of the Senate shall serve simultaneously on more than one committee hearing individual cases.

(d) The following are disqualified from service on a hearing committee: (1) any individual who participated in the initiation, formulation, investigation or filing of allegations or charges; (2) any individual who is a member of the concerned academic staff member's department or equivalent; and (3) any individual who is a material witness.

(e) If, in the opinion of the president of the Senate (and with concurrence of the Chancellor), members are needed to serve on additional hearing committees, they will be randomly selected by the president from academic staff in at least their third year of service at University of Wisconsin Oshkosh.

2. Procedures.
Senate of Academic Staff

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

(a) At the request of the president of the Senate, and with the concurrence of the Chancellor, the University shall provide legal counsel to a hearing committee. All parties shall be notified if legal counsel is to be provided.

(b) Academic staff members shall be assured of a fair hearing, which will include the right to present testimony in one's own behalf, the right to offer witnesses, the right to cross-examine adverse witnesses, and the right to counsel or representation.

(c) The department or functional equivalent of the academic staff member concerned shall be consulted and have the opportunity to present evidence or testimony through the unit Director or other representative(s), as appropriate.

(d) By a majority vote a hearing committee may, on the motion of one of the academic staff members involved, or on its own initiative, disqualify any one of its members for cause. In such case, the president of the Senate shall designate a replacement unless, in his/her opinion, the disqualification should occur after a significant portion of the hearing already has taken place. The same replacement procedures shall be followed in the event a member of the committee is not able to complete the assignment.

(e) Hearings shall be open or closed in accordance with the Wisconsin Open Meetings Law.

(f) A verbatim sound recording shall be made of all formal hearings. Upon written request, a copy of the recording shall be made available at no cost within a reasonable period of time to anyone involved in the hearing.

(g) The committee shall have access to documentary evidence it believes to be pertinent, including public records and official documents specifically requested by the committee, and shall have the right to summon witnesses necessary to assure a fair hearing.

(h) The Chancellor shall assist committees in obtaining witnesses and documents required for proper conduct of hearings.

(i) The hearing committee shall not be bound by common law or statutory rules of evidence; it may admit evidence having reasonable probative value, but shall exclude immaterial, irrelevant or unduly repetitious testimony, and shall allow the exercise of legal privileges. Members of the hearing committee who participate in discussion of the merits and decision-making shall be familiar with all testimony, all deliberations, and all evidence presented.

D. Modification or Amendment

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.
College Bylaws

GOV 5. COLLEGE BYLAWS.

GOV 5.1. College of Business Bylaws.

BYLAWS

All actions and decisions of the College will be made in accordance with the policies and rules of the University as established by United States Law, Wisconsin State Law, the Board of Regents of the Wisconsin System, the Chancellor, and the Faculty Constitution. The College’s organizational structure is based on Departments.

Article 1 The College of Business Faculty

1.01 Definition of Faculty

1. The College of Business faculty consists of all persons appointed full-time by the University in the rank of instructor or above with the majority of assigned responsibilities in the College of Business. Academic staff members will be automatically eligible to exercise faculty voting rights at the department level if they are working in an instructional assignment with an appointment of more than one-half time in the College and are in their fifth semester (or later). Academic staff working under a limited appointment are ineligible.

2. Voting Rights
   a. Faculty members as defined in 1.01(1) may vote. Voting rights for instructional academic staff are restricted to department affairs excluding recruitment, tenure, appointment/reappointment and promotion.
   b. Faculty members on leave of absence or lay-off may attend and vote at meetings.
   c. Other staff of the College may attend meetings and speak.
   d. Absentee ballots are not permitted.
   e. Administrators holding limited appointments do not have voting rights in the College or Departments.
1.02 Duties and Powers of the College Faculty

Subject to the general jurisdiction of the University of Wisconsin Oshkosh over all educational matters that concern more than one collegiate unit, the College of Business faculty has the following duties and powers within their collegiate unit:

1. Determine the structure, policies, and procedures for the immediate faculty governance of the College and determine faculty status and voting eligibility.

2. Form curriculum and long-range curriculum plans and coordinate curriculum within the College and with other Colleges.

3. Form College policies concerning the recruiting, evaluation, and appointment of persons to be assigned to teaching or professional duties in the College and determine other faculty personnel policies in the College such as tenure, promotion, salary, merit, faculty development and Compensation for Additional Service (CAS).

4. Control matters involving scholarship, including the advancement of students and dismissal of students for defective scholarship.

5. Recommend to the University of Wisconsin Oshkosh requirements for admission, courses of study, conditions of graduation, and the nature of the degrees conferred.

6. Administer the regulations for the admission of students to the College of Business.

7. Recommend to the Chancellor candidates for degrees in courses of study in the College.

8. Recommend students for fellowships, scholarships, and awards.

9. Establish research and field services and sponsor conferences, institutes, clinics, and short courses appropriate to the College.

10. Report to the appropriate Director cases of student misconduct requiring investigation.

11. Recommend citations recognizing outstanding achievements by faculty, by Wisconsin citizens, or by others who are connected with the University or the state.

12. Review and make recommendations to appropriate administrative officers concerning proposals affecting the administration or academic matters of the College.

Article 2 Meetings of the College Faculty

2.01

At least three faculty meetings are held each year and these are normally scheduled for the first Friday of a month. Adjournment is automatic after 90 minutes, unless suspended by two-thirds vote of faculty in attendance. A quorum required to transact business consists of one-half of voting members in residence as defined in 1.01 (1). Additional meetings of the faculty are held at the call of the Dean, the College of Business Council (COB Council) or by petition of 25% of the faculty.

2.02
The Dean is the executive officer of the College and has immediate supervision of the affairs of the College. The Dean is the presiding officer of the faculty.

2.03
The Dean transmits to the appropriate body or office of the University of Wisconsin Oshkosh all actions that are within the concern of that body or office.

2.04
Notice and agenda for faculty meetings are prepared by the Dean in consultation with the COB Council and distributed to members of the College faculty at least five working days prior to each meeting. Individual faculty members may present items to the Dean to be placed on the agenda 10 working days prior to the faculty meeting.

Article 3 College of Business Council and Governance Structure

The College will have the following standing governance committees and a Council:

3.01 College of Business Council (COB Council)

3.02 Graduate Programs Committee

3.03 Undergraduate Programs Committee

3.04 Faculty Review Committee

3.05 Full Professor Committee

3.06 Task Forces

3.07 Departments

3.08 Globalization Committee

3.01 College of Business Council (COB Council)

1. Acting as the voice of the faculty, the COB Council provides input to the Dean concerning resource allocation, College plans, and priorities. It makes recommendations on policy guidelines relating to salary, merit point allocations, and other personnel matters consistent with the College policies and procedures for appointment, renewal, promotion, tenure, and merit. It also provides input on who should be responsible for those activities that have not been assigned to a position or group. It establishes election procedures for the College, solicits candidates from the faculty, and reports all self-nominated faculty in the agenda prior to the May College meeting. [Additional nominations may be made from the floor with the consent of the nominees.] The COB Council may make recommendations to the Dean and the College faculty. This Council receives recommendations from faculty and departments of the College.

2. The COB Council consists of the Dean (nonvoting) and the Chairs of each department. The Dean acts as Chair.

3. The Council acts as the standing bylaws committee for the College.

3.02 Graduate Programs Committee

1. The Graduate Programs Committee has responsibility to consider all graduate student programs policy and scholarship matters within the College of Business. It reports to
the total college faculty on all academic matters relating to graduate program curricu-
la, courses, and requirements. It recommends to faculty, for faculty approval, graduate
curricula policy and makes recommendations to the Dean on the implementation of
academic matters. This committee functions as the College's Academic Standing Re-
view Committee for graduate students and acts on the academic matters of admissions
appeals, probation and suspension decisions for graduate students.

2. The Graduate Programs Committee consists of Dean’s representative, as a nonvoting
member, and a member elected to a two year staggered term by each of the college's
departments.

3. Each year the Chair of the committee is selected from among its voting members by
majority vote at the organizational meeting following election of new members.

3.03 Undergraduate Programs Committee

1. The Undergraduate Programs Committee has responsibility to consider all undergrad-
uate student programs policy and scholarship matters within the College of Business.
It reports to the total college faculty on all academic matters relating to undergraduate
program curricula, courses, and requirements. It recommends to faculty, for faculty
approval, undergraduate curricula policy and makes recommendations to the Dean on
the implementation of academic matters. This committee functions as the College's
Academic Standing Review Committee for undergraduate students and acts on the ac-
ademic matters of admissions appeals, probation and suspension decisions for under-
graduate students.

2. The Undergraduate Programs Committee consists of the Dean’s representative, as a
nonvoting member, and a member elected to a two-year staggered term by each of the
college's departments.

3. Each year the Chair of the committee is selected from among its voting members by
majority vote at the organizational meeting following election of new members.

3.04 Faculty Review Committee

1. With the exception of the recommendation for promotion to full professor, the Faculty
Review Committee makes recommendations to the Dean with respect to the renewal,
promotion, and tenure of faculty in accordance with the Board of Regents, University,
and College rules and practices governing these matters. It makes recommendations
noted above following evaluation of credentials. The committee reports to individual
faculty members the committee’s recommendations on their renewal, promotion, and
tenure. The committee will be the initial level of review for faculty renewal, promo-
tion and tenure when department Personnel Committees fall below three members un-
der the terms of 3.07 (8).

2. The Faculty Review Committee maintains, in the College office, minutes of its ac-
tions, including recorded votes on recommendations concerning renewal, tenure, and
promotion. The recorded votes, together with reasons for the recommendation, are
forwarded to the Dean. Written notice of the committee’s recommendation is forward-
ed to the faculty member in question. Committee procedures will be consistent with University rules and procedures regarding personnel matters.

3. The Faculty Review Committee consists of members elected to a three-year staggered term by each of the College's departments.

4. The chair of the committee is selected from its membership by majority vote at the organizational meeting each year following election of new members.

5. Members may not vote on promotion to a rank higher than the rank they hold.

3.05 Full Professor Committee

1. The Full Professor Committee makes recommendations to the Dean on promotions to the rank of professor following an evaluation of credentials and in accordance with the Board of Regents and University rules and practices governing these matters.

2. The Full Professor Committee maintains, in the College office, minutes of its actions including recorded votes on its promotion recommendations. The recorded votes, together with reasons for the recommendation, are forwarded to the Dean. Within three working days after its vote, the committee will provide a written notice of its recorded vote and reasons to the faculty member in question. A copy of the Dean's recommendations will be forwarded to the committee.

3. The Full Professor Committee consists of five tenured members of the College faculty as defined in 1.01 (1), who currently have the rank of professor or will have the rank of professor at the commencement of the member's elected term in this committee. Membership is elected by the faculty at large for two-year terms with three positions elected one year and two positions the succeeding year.

4. The chair of the committee is selected from its elected membership by majority vote at the organizational meeting each year following election of new members.

3.06 Task Forces

1. Task Forces may be appointed by the Dean in consultation with the College Council for specific purposes.

2. Terms to such task forces expire on completion of the work of the task force, usually within an academic year.

3.07 Departments

1. The College is organized by Departments. The Department is the fundamental unit of academic as well as administrative organization within the College. It exists to provide instruction and to conduct research in its respective fields of teaching and investigation. Changes to the departmental structure of the College shall be in accordance with 3.07(4).
2. Each department will have responsibility for making recommendations to the faculty on policies and procedures affecting its major(s), its courses, its students and its faculty. The areas of responsibility include curriculum development, managing its major(s), program reviews, conducting assessments of its major(s), assisting in course scheduling, advising student clubs, advising students about discipline-related careers, monitoring the external environment related to its discipline(s), recruiting new faculty, and making decisions on renewal, promotion and tenure of faculty within the department. Each faculty member in the College will be a voting member of only one department. Faculty will be a member of the department where they can best contribute to the goals and objectives of the department and the College.

3. Questions concerning appropriate department membership shall be resolved by the Faculty Review Committee. Faculty desiring to change departments shall file a written request with the Faculty Review Committee. The Faculty Review Committee will consult with all affected departments and will rule in favor of the change if it is necessary for the professional and scholarly growth of the faculty member filing the request and if the change is consistent with the goals and objectives of the College.

4. Proposals for changes to departments in the College may be made by the Chancellor, the Dean, the COB Council, or the majority of the eligible voting faculty in the affected department(s). The proposal and accompanying rationale will be made in writing to the Dean and the COB Council and distributed to the faculty. There will be subsequent consultation between the Dean and faculty of the department(s) involved. Upon the recommendation of a majority of the eligible voting faculty of each department involved, the COB Council will make its recommendation to the faculty and the Dean. Upon the recommendation of a majority of the eligible voting faculty within the College, the Chancellor shall be notified and consulted as per Article VIII, Section 2 of the Faculty Constitution.

5. Each department shall establish a personnel committee. All tenured members of the department shall be members of the personnel committee unless discipline-based personnel committees have been approved by the department and the Faculty Review Committee. The personnel committees will make decisions on the renewal and tenure of eligible department faculty and make recommendations on the promotion of department faculty.

6. A minimum of three eligible personnel committee members must participate in all personnel decisions (tenure, renewal, promotion). If the personnel committee is unable to meet this requirement in the allowable time frame, the committee chair should so inform the appropriate College committee chair, at which time section 3.07 (8) will take effect.

7. In cases where for a particular decision (tenure, renewal, promotion), the size of the personnel committee is three or more, the personnel committee conducts the initial level of review. For renewal, if the vote is for renewal, subsequent actions are taken by the College committee, Dean, Provost and Vice Chancellor, and Chancellor.

8. In cases where for a particular decision (tenure, renewal, promotion), the size of the
personnel committee is two or less, the initial level of review becomes the appropriate College committee. For actions on renewal and tenure, the Faculty Review Committee is then the decision-making body. The eligible members of the personnel committee will be added to the Faculty Review Committee as voting members for those decisions as specified under University guidelines.

9. Each department shall conduct periodic reviews of faculty performance within the department as allowed by University guidelines, and make recommendations to the Dean. These recommendations shall be reported to individual faculty members.

10. Each department shall have a department chair. Department chairs are responsible for the development and implementation of departmental strategic plans and for addressing personnel issues within the department. Department chairs shall conduct post-tenure review of faculty within the department and make recommendations to the Dean. These recommendations shall be reported to individual faculty members. Department chairs are responsible for developing and implementing self improvement plans in accordance with University guidelines.

11. The department chair shall be nominated by a majority of the eligible voters who cast ballots and shall be appointed by the Chancellor. Tie votes will be broken by one succeeding ballot. If a tie vote continues, it will be broken by the drawing of lots. The department chair shall be elected for a three-year term during March and appointed as soon thereafter as possible, and shall assume office July 1. No person can hold a position as department chair for more than two consecutive three-year terms, unless no other eligible faculty member applies for the position and the person continuing in the role is accepted by all relevant parties.

12. If a vacancy occurs before the term of a department chair expires, a special election shall occur at the next department meeting to elect an interim department chair.
   a. The interim department chair shall be elected in the same manner as the regular department chair.
   b. The interim department chair shall hold office for the remainder of the term.

13. Department chairs shall be evaluated in accordance with the policies of the College. A department chair may be removed for good and sufficient reasons in accordance with the Faculty Constitution.

3.08 Globalization Committee

1. The Globalization Committee: a) facilitates development of initiatives for globalizing the students, the faculty, and the curriculum and make recommendations to the Dean; (b) establishes strategy, procedures and criteria for and overseeing implementation of globalization initiatives; and (c) periodically evaluates programs, against set goals of the College and makes recommendations concerning specific programs and program leaders toward future progress; and (d) maintains an effective, ongoing communication with the Dean. It acts as liaison with the Office of the Provost and other Colleges and Units across the university in furthering the objectives of globalization.
2. The Globalization Committee maintains, in the College office, minutes of its actions including recorded votes on its globalization recommendations. The recorded votes, together with reasons for the recommendation, are sent to the Dean.

3. The Globalization Committee consists of four faculty members, to be elected at large, for two-year staggered terms. In addition, the Dean’s representatives to the Undergraduate and Graduate Programs committees, as voting members, will serve on the committee. The Dean may designate up to three additional ex-officio members to serve on the committee.

Article 4 Appeals and Grievances

Refer to the University of Wisconsin Oshkosh Faculty Handbook Chapter Ten, Part C. for appeals, Chapter Ten, Part E. for grievances, or the University of Wisconsin Oshkosh Academic Staff Handbook Part III, Section B for instructional academic staff policies.

Article 5 Rules and Amendments

5.01 The most current edition of STURGIS' STANDARD CODE OF PARLIAMENTARY PROCEDURES, by A. Sturgis, determines conduct and proceedings of the faculty and standing governance committees.

5.02 Five members of the faculty may recommend an amendment to the Dean and the College faculty in writing. The Dean will hold a vote as indicated in 5.03.

5.03 These bylaws may be amended by a two-thirds affirmative vote of the faculty of the College as defined in 1.01 (1), who vote either "yes" or "no". Voting will be conducted by paper ballot, after at least two weeks' notice of proposed amendments, at a regularly scheduled meeting of the college faculty, or by referendum. A vote taken during a faculty meeting assumes a quorum is present, and a vote by referendum assumes a quorum votes either yes/no/abstain.

5.04 College Committees

1. Election
   Election to college committees will be by a majority vote of those members eligible to vote as defined in 1.01 (1) who vote. Tie votes will be broken by one succeeding ballot administered by the College Council. If a tie vote continues, it will be broken by the drawing of lots.

2. Vacancies
   Vacancies will be filled for the balance of the term by the person receiving the next highest vote for the office at the most recent election. In the event the vacancy cannot be filled in this manner, a special election will be held.

3. Empowerment and Limits
   College Committees are empowered to make decisions within their purview. If the
Committee believes an item should be taken to the full faculty for a vote it will be placed on the agenda for the next faculty meeting. (Only items that have a significant college wide effect should be taken to the full faculty.) If the Committee believes a full faculty vote is not necessary it makes the decision and informs the full faculty of that decision. If the College Council, the Dean or at least 25% of the faculty (through a petition) believe the item should be taken to the full faculty then the item will be placed on the agenda for the next faculty meeting and the committee decision is stayed.

Approved May 30, 1985
Amended February 6, 1986
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Amended October 30, 2007
Amended March 5, 2010
Approved by Faculty Senate December 14, 2010
GOV 5.2. College of Education and Human Services Bylaws.

1.01 Definition of Faculty.

(1) The College of Education and Human Services Faculty consists of all tenured and tenure-track faculty who are appointed full-time by the Chancellor of the University with the greatest part of their assigned responsibilities in the College of Education and Human Services.

(2) Voting Rights at College Faculty Meetings

(a) Faculty members as defined in 1.01 (1) may vote on all matters.

(b) Faculty members on leaves of absence and lay-off are accorded full rights and privileges and may vote on all matters provided they are present.

(c) Academic staff and shared academic staff, with the greatest part of their assigned responsibilities in Colleges or units other than the College of Education and Human Services, may attend meetings and participate in discussions.

1.02 Rights and Responsibilities of the College of Education and Human Services Faculty.

Subject to the general policies and jurisdiction of the University of Wisconsin Oshkosh over all educational matters which concern more than one collegiate unit, the College of Education and Human Services Faculty has the following rights and responsibilities:

(1) To recommend policy in matters involving scholarship, including the advancement of students and dismissal for less than satisfactory scholarship and/or field experiences.

(2) To recommend to the University of Wisconsin Oshkosh requirements for admission, courses of study, conditions for licensure and graduation and the nature of the degrees conferred.

(3) To recommend policy relative to regulations for the admission of students to the College of Education and Human Services.

(4) To recommend to the Chancellor candidates for degrees in education and human services.

(5) To recommend students for graduate assistantships, fellowships, scholarships, and awards.

(6) To sponsor outreach activities such as conferences, workshops, institutes, clinics, and short courses appropriate to the College of Education and Human Services.

(7) To make appropriate citations recognizing outstanding achievements by faculty and others.

(8) To review and to make recommendations to appropriate administrative offices concerning proposals affecting the administration or academic matters of the College.

1.03 Meetings of the College of Education and Human Services Faculty.

The Dean, as the executive officer of the College, is the presiding officer of the faculty.

(1) There shall be a minimum of four college meetings in each academic year (two per semester), with the first being Opening Day of the fall semester. The dates and times of faculty meetings shall be established by the Dean during the first month of each semester. Additional meetings of the faculty may be held at the call of the Dean or upon petition to the Dean by ten percent of the faculty, as defined in 1.01 (1).

(2) A quorum required to transact business consists of the majority of the faculty, as defined in 1.01 (1), excepting only that a majority of those present may approve a motion for a referendum to be placed before the College per section 1.03 (4). A majority vote shall be required to carry a motion.

(3) Items may be placed on the agenda by the Dean, the Administrative Council or by a petition signed by ten percent of the faculty, as defined in 1.01 (1). It is the responsibility of the Dean
to publish the agenda five working days prior to the meeting.

Additional discussion items may be added during faculty meetings upon a call for new business. A motion on an item of new business introduced during the meeting shall not come to a vote in that meeting unless the quorum of faculty votes by a two-thirds majority to act on that motion.

(4) A referendum on an issue can be called by a majority vote. The referendum will be conducted within ten working days with voting by written ballot in the Office of the Dean. A majority vote of the faculty as defined in 1.01 (1) is required for approval.

(5) A recording secretary is elected by the faculty for a three-year term. New elections are held in the spring semester and prior to the end of fourteenth week.

The secretary records and prepares the minutes of the meetings and submits them to the Office of the Dean for distribution to all College faculty. Copies of the minutes are also filed in the Office of the Dean.

(6) The Dean may appoint a parliamentarian.

1.04 Administrative Review.

When faculty decisions or recommendations are transmitted in writing to the Dean, the Dean, recognizing the academic tradition of concurring with a clear faculty judgment in matters of primary faculty responsibility, shall as a matter of collegiality respond to decisions and recommendations in writing, giving reasons, providing that such communication shall not be prohibited by law or System policy. Nothing in these bylaws shall impede the authority of the Dean, established by law and System policy, to review faculty decisions on such matters and to make independent judgments regarding them; and nothing in these bylaws shall prohibit appropriate consultation.

ARTICLE 2. College of Education and Human Services Organizational and Administrative Structure.

The Dean has immediate supervision of the affairs of the College. At the beginning of the fall semester the Dean, or appointed designee, will facilitate the initial meetings of the Councils and Standing Committees.

2.01 Departments.

(1) Counselor Education
(2) Curriculum and Instruction
(3) Educational Foundations
(4) Human Services and Professional Leadership
(5) Reading Education
(6) Special Education

2.02 Councils, Standing Committees and Units of the College.

(1) Councils
   (a) The Administrative Council
(2) Standing Committees
   (a) The Curriculum Committee
   (b) The Personnel Committee
   (c) The Professional Education Program Committee
   (d) The Culture and Diversity Committee
   (e) The Elections Committee
   (f) The Student Appeals Committee
(g) The Technology Committee

(h) Committee on Graduate Studies

(i) Special Committees

(3) Divisions

(a) Reading Study Center

(b) Project Success

(c) Externally Funded Units

2.03 College, Departmental, Council and Standing Committee Elections.

Faculty as a whole elect chairpersons, as indicated, for Standing Committees. Departments elect department chairs and department representatives to Standing Committees. Department chairpersons also serve on the Administrative Council.

(1) During any given academic year faculty members as defined in 1.01 (1), will hold voting privileges in that Department in which they have the greatest part of their responsibilities for that year. At the beginning of each academic year faculty members whose responsibilities are evenly divided across Departments for that year will declare their voting rights to one of those Departments. The choice is to be communicated by the faculty member to the appropriate Department Chairpersons, the Associate Dean(s), the Dean, and the Executive Committee of the Faculty Senate.

(2) Academic staff members will be automatically eligible to exercise faculty voting rights in departments if they are working in an instructional assignment with an appointment of more than one-half time in that department and are past their fourth semester with that department. Academic staff working under a limited appointment are ineligible. Academic staff voting privileges are restricted to department affairs excluding recruitment, merit, tenure, appointment, reappointment, promotion and election of Department Chair and Alternate Chair.

(3) Every three years during the spring semester and prior to the end of March, faculty members with voting rights in a Department as defined in 2.03 (1) will elect a nominee and recommend to the Dean, a member who has at least one-half of his/her responsibilities in that Department for the position of Chairperson. Subsequently, the Dean will forward his/her recommendation to the Chancellor for review and approval. The term of office will normally be for three years. Each COEHS department will determine the new chair’s start date. There are three options available to each COEHS Department. The new chair could (a) begin at the end of the 17th week of the spring semester in which the election was held, or (b) on the first day of the fall semester of the following academic year, or (c) the previous chair and the new chair could decide to split the administrative duties over the summer. The Department Chairperson will function in accord with Article 8, Sec. 5 of the Faculty Constitution.

(4) Annually, during the spring semester and prior to the end of the fourteen-week term, faculty members with voting rights in a Department as defined in 2.03 (1) will elect a nominee and recommend to the Dean, a member who has at least one-half of his/her responsibilities in that Department as Alternate Chairperson. The Alternate Chairperson will be responsible for departmental operations in the absence of the elected Chairperson.

(5) During the spring semester and prior to the end of the fourteen-week term, faculty members with voting rights in a Department as defined in 2.03 (1) will elect a representative from their voting membership to each Standing Committee unless a term has not expired or representation is not required. Terms for Department representatives on the Standing Committees will be for three years and no more than two new three-year terms will commence in a given year. All elected terms begin on the first day of the following fall semester.

(a) Terms of initial election for new Standing Committees will be for one, two, or three years unless otherwise determined by the faculty. The Administrative Council through the use of a lottery system will identify two departments for a one-year term, two for a two-year term, and two for a three-year term. Thereafter, elections will be held by the appropriate Departments and terms will be for a period of three years.
(b) All terms will begin on the first day of the following fall semester.

(c) Procedures for all Department elections will be established by department bylaws.

2.04 Department Bylaws.

College of Education and Human Services Departments are responsible for the development and administration of their own operational bylaws and subsequent revisions. Bylaws shall be reviewed at least every five years with changes subject to approval by the Dean and acceptance by the Faculty Senate.

(1) Each department will include in its bylaws a method of making personnel recommendations concerning renewal, tenure and promotion when the department has less than three department members eligible to vote on the personnel matter. This method shall ensure all personnel recommendations at the initial level of review concerning renewal, tenure and promotion are made by committees composed of three or more voting members.

2.05 Councils and Standing Committees of the College.

(1) Administrative Council

(a) The Administrative Council has the responsibility to advise the Dean on matters affecting operations, budgets, planning, policies, and programs within the jurisdiction of the College and its relationships with other units within the University and other Colleges of Education within the UW System. The Council may make recommendations to the Dean and the College faculty. The Council receives recommendations from faculty and from other councils and committees of the College. It will assist the Dean in determining agenda items and the order of business for College faculty meetings.

(b) The Administrative Council consists of: the Dean; the Associate Dean(s); the Department Chairpersons; and, others as appointed by the Dean.

(2) The Curriculum Committee

(a) The Curriculum Committee consists of a chairperson—who is elected by the College faculty (the chairperson may not concurrently be a member of the Administrative Council), an elected representative from each Department, an undergraduate student, a graduate student, and the Associate Dean(s) (non-voting).

(b) The Committee will facilitate coordination and evaluation of curriculum experimentation, innovations, additions, deletions, and interprogram articulation. The Committee will inform the Dean of its decision(s) on curricular policy.

(c) The Curriculum Committee will consider recommendations from Departments and in turn may recommend curriculum changes to Departments for action.

(d) The Committee may create ad hoc task forces for specific analytical purposes.

(e) The Dean may suggest agenda items for inclusion in Committee discussions and actions.

(f) The Curriculum Committee members may assist faculty in preparing proposals for curriculum change.

(g) The Curriculum Committee will evaluate and make decisions on all matters relating to curricular activities affecting the College of Education and Human Services. These include, but are not limited to course approval, program changes, development, and review; and new emphases. The Committee may submit to the faculty as a whole for discussion/action, any proposed changes, additions or deletions which could impact two or more departments. The result of any discussion/action will be incorporated by the Committee in its subsequent decision(s). The Committee will inform the Dean of its decision(s) on all curricular activities.

(h) The Curriculum Committee will keep minutes of all meetings and circulate agendas and minutes to all College of Education and Human Services faculty and staff.

(3) The Personnel Committee
(a) The Personnel Committee consists of a chairperson, who is elected by the College of Education and Human Services faculty (the chairperson may not be a member of the Administrative Council), and an elected representative from each Department.

(b) The Personnel Committee will review information submitted by the Departments, and will make recommendations to the Dean on matters related to promotion, tenure, post tenure review, appointment, reappointment, merit evaluation, grievances, and other personnel concerns.

(c) The Personnel Committee actions will conform to University of Wisconsin Oshkosh administrative policies and procedures and the UW Oshkosh Faculty Constitution.

(d) The Personnel Committee will establish uniform procedures for evaluation of faculty. These procedures will include the development of instruments and processes for assessing faculty performance.

(e) The Personnel Committee will keep minutes of the open meeting portion of its meetings and circulate them to all COEHS faculty and staff.

(f) In situations where there are not three COEHS Personnel Committee members eligible to vote on a renewal, tenure or promotion recommendation, a special college committee will be constituted. This committee will be composed of three individuals eligible to vote on the personnel issue. It will include all COEHS Personnel Committee members eligible to vote, plus additional voting members will be randomly selected from a volunteer pool of all eligible faculty. The COEHS Personnel Committee chairperson (whether voting or not voting) will develop the volunteer pool, randomly select the needed number of committee members, and convene all meetings. This special committee will act in lieu of the COEHS Personnel Committee and will have the same power and responsibility to review the information submitted and to make recommendations to the Dean.

(4) The Professional Education Program Committee

(a) The purpose of the Professional Education Program Committee is to ensure that all undergraduate licensure programs are in compliance with (1) Wisconsin Dept. of Public Instruction (DPI) rules and regulations and (2) all other accreditation and program review requirements as they relate to undergraduate program licensure issues.

(b) The membership of the Professional Education Program Committee shall be as follows:

1. Faculty members eligible for voting membership on the Committee shall be those who teach one or more courses in the Professional Education Program (PEP). Membership shall include: one member from the Curriculum and Instruction Department, one member from the Department of Special Education, one member from the Department of Educational Foundations, one member from the Department of Human Services and Professional Leadership, and one member from the Department of Reading Education. Members will be elected by their departments and serve for three-year terms. A chairperson shall be elected annually at the beginning of the Fall semester from the committee's elected membership.

2. Non-voting members will include the COEHS Director of Professional Education, the COEHS Director of Field Experience, the COEHS Data Management & Assessment Director, the Associate Dean or Dean’s designee, and one College of Letters and Science faculty representative who teaches one or more courses per year in the Professional Education Program (PEP) to be appointed by the Dean of the College of Letters and Science.

(c) The responsibilities of the Professional Education Program Committee shall be as follows:

1. Engage in continuous review of Wisconsin state teacher licensure requirements to ensure compliance in all programs with DPI rules and regulations.

2. In order to ensure program alignment with DPI licensure requirements, the committee shall review and make recommendations on all proposed curricular changes that have
implications for licensure prior to submission of proposed curricular changes to the
COEHS Curriculum Committee.

3. Reviews field experience requirements, policies and procedures as they relate to DPI
licensure requirements and shall make recommendations on proposed modifications
and/or changes.

4. Receives, shares and discusses reports from UW System Deans and Directors Meet-
ings, Wisconsin Association of Colleges of Teacher Education (WACTE), DPI and
other professional organizations so as to stay informed about state licensure issues.

5. Recommends to departments and the Dean such college actions as deemed neces-
sary to address current and emerging licensure issues

6. Oversees the analysis, interpretation and use of data related to COEHS licensure
programs, including interfacing with accreditation and program review requirements.

7. Makes recommendations for program improvement to departments based on analysis
and interpretation of program evaluation data.

(5) The Culture and Diversity Committee

(a) The Culture and Diversity Committee (CDC), composed of an elected representative from
each department, a graduate and an undergraduate student, and the Director of the Office
of Field Experiences and the Director of the Professional Education Programs will meet
regularly to initiate and review and advise the COEHS on issues related to culture and di-
versity.

(b) The chairperson of CDC shall be a member elected by the Committee.

(c) The CDC is responsible for overseeing candidate assessment decisions related to ex-
emption requests based on cultural and diversity issues.

(d) The CDC will make recommendations, regarding policies and procedures as they relate to
issues of culture and diversity, to the Director of Office of Field Experience, the Curriculum
Committee, and to appropriate internal and external groups.

(e) The CDC will keep minutes of all meetings and will circulate them to all COEHS faculty
and staff.

(6) The Elections Committee

(a) The Elections Committee consists of three faculty members of the College as defined in
1.01 (1). Members are elected by the faculty during the spring semester and prior to the
end of the fourteen-week term for a three-year term which will begin on the first day of the
following fall semester.

(b) The Elections Committee establishes the nomination and election procedures for all Co-
lege of Education and Human Services elections which will be held during the spring se-
mester and prior to the end of the fourteen-week term. Position criteria and nomination-
election procedures will conform to University of Wisconsin Oshkosh Administrative Pol i-
cies and the Faculty Constitution.

(c) The Elections Committee will conduct elections for the following positions as needed:

1. Chairperson - Curriculum Committee (3-year term)
2. Chairperson - Personnel Committee (3-year term)
3. Chairperson - Planning and Budget Committee (3-year term)
5. Recording Secretary of COEHS (3-year term)
6. Elections Committee - Three members (3-year terms)
Elections shall be by a majority of the legal votes cast or by a plurality if there are more than two candidates. In case of ties, repeated elections shall be conducted until all positions are filled.

(d) The chairperson of the Elections Committee is elected by its members at its first organizational meeting.

(e) Voting for Committee chairpersons, Advisory Council representatives and the College recording secretary will be accomplished under the supervision of the College Elections Committee.

(f) The Elections Committee has the responsibility to: review all College and University committees and councils for election needs and inform faculty of vacancies.

(g) The Elections Committee counts the ballots and interprets the results. The incumbent Recording Secretary of the College receives the ballots and announces the results.

(h) The Elections Committee, at the request of the Dean, will conduct special elections and supervise referenda as the need arises.

(i) The Elections Committee will provide absentee ballots to faculty as defined in 1.01(1), for college wide elections, as described in 2.05(8)(e); for referenda, as determined in 1.03(4); and for amending or revising the bylaws as stipulated in 4.02 and 4.03.

(7) The Student Appeals Committee

(a) The Student Appeals Committee is composed of an elected representative from each department, an undergraduate student, and a graduate student. The chairperson of the Committee is elected by its membership at its first organizational meeting.

(b) The Student Appeals Committee makes recommendations regarding student grievances which have not been resolved at the departmental level.

(c) The Student Appeals Committee follows established College guidelines and procedures which have been developed and distributed.

(8) The Technology Committee

(a) The Technology Committee will engage in planning and coordinating technology initiatives and policies that involve College courses and programs. These include but are not limited to technology acquisition, the creation of modern classrooms with technology, College web pages and other matters that involve technology in the College.

(b) The committee consists of an elected representative from each Department, an undergraduate student, a graduate student, a committee selected faculty member who teaches instructional technology or a related course, and non-voting members who include the Associate Dean, College Computer Technician, and representatives from Academic Computing and Media Services. The chairperson will be a committee member elected by the Technology Committee.

(c) The Technology Committee may create ad hoc task forces for specific purposes.

(d) The Dean may suggest agenda items for inclusion in Committee discussions and actions.

(e) The Technology Committee will keep minutes of all meetings and circulate agendas and minutes to all College of Education and Human Services faculty and staff.

(9) Committee on Graduate Studies

(a) The purposes of the Committee on Graduate Studies are:

1. Assist all graduate programs in the COEHS in finalizing the development of graduate program assessment plans for internal use and in support of college and/or department accreditation. Review and report annually the results of COEHS graduate program assessment.

2. In response to the dramatic change in the post-baccalaureate educational environment in Wisconsin for teachers, administrators and pupil services in Wisconsin due to
PI-34, to develop COEHS graduate programs to respond in new ways to service our K-12 constituencies.

3. To work collaboratively to develop a sense of cross-departmental graduate identity in the COEHS, to enhance program interconnectivity and articulation across all of the college graduate areas, and to increase COEHS graduate programs’ outreach and development.

4. To work with UW Oshkosh Graduate Office to coordinate marketing efforts and resources on behalf of graduate programs.

(b) The membership of the committee shall be all department graduate program coordinators. The committee shall elect a chair in its first fall meeting.

ARTICLE 3. Appeals and Grievances.

3.01 Any professional or administrative grievance that is not resolved between the concerned parties may be filed by the aggrieved faculty member with the College Personnel Committee, whereupon it is referred for investigation and recommendation to a three-person special committee appointed by the chairperson whose members may or may not be members of the College Personnel Committee. Appointment is contingent upon their individual acceptance by both the aggrieved and the party or parties against whom the grievance is made.

3.02 The special committee will report its findings and recommendations to the College Personnel Committee as a whole. The College Personnel Committee will notify the concerned parties of their final recommendation. If dissolution or dismissal of the grievance or satisfactory compromise is not achieved at this juncture, the aggrieved party has the option to request a decision on the issue by the Dean after presentation by the special committee of its findings and recommendations to the Dean in the presence of the aggrieved and the other concerned parties.

3.03 Further appeal is available through the University of Wisconsin Oshkosh grievance procedures.

ARTICLE 4. Rules and Amendments.

4.01 Procedures for adoption of the original bylaws.

(1) During an all College of Education and Human Services faculty meeting the Dean, as presiding officer, will call for questions, discussion and proposed amendments to the bylaws.

(2) If an amendment to a section is proposed, the Dean will read the amendment and after discussion a vote will be taken. A majority vote is required for approval of the amendment.

(3) When all amendments of the bylaws have been completed, the Dean will call for any further amendments, questions or discussion.

(4) A referendum on the amended bylaws will be conducted within two weeks following the all College of Education and Human Services faculty meeting. Voting will be by written ballot in the Office of the Dean.
4.02 Procedures for amending the bylaws.

1. During an all College of Education and Human Services faculty meeting, a faculty member as defined in 1.01 (1) may give notice of a proposed amendment while new business is being considered.

2. The faculty member will read the proposed amendment and give a copy of it to the College of Education and Human Services recording secretary.

3. The faculty member will circulate the proposed amendment to all College of Education and Human Services faculty members as defined in 1.01 (1). The amendment should be stated in such language that, if adopted, it may be incorporated directly into the bylaws.

4. During the following all College of Education and Human Services faculty meeting, the Dean or his/her designee will read the proposed amendment and will call for a motion to adopt the amendment. Upon hearing a motion and second, the Dean will call for discussion, questions and amendments to the proposed amendment. (Since a proposal to amend the bylaws is a main motion, amendments to the proposed amendment are in order.) A majority vote is required to amend the proposed amendment. Upon hearing no further amendments to the amendment, the Dean will call for a referendum.

5. A referendum on the amendment will be held within two weeks of the all College of Education and Human Services faculty meeting where the amendment was considered. Voting will be by written ballot in the Office of the Dean.

6. A majority vote is required for the faculty approval of amendments to the bylaws.

4.03 Revision of the bylaws.

1. Upon the request of the faculty, or the department chairs, or on the Dean’s own volition or periodically no less than every five years, the Dean shall appoint a special committee made up of one faculty member from each department to review the college’s By-Laws and make recommendations for any revisions to the college. The committee shall elect its own chair and deliver any recommendations within one year of appointment.

2. A copy of the proposed revision will be sent to all College of Education and Human Services faculty with notice of the dates when it will be considered and voted on.

3. The removal, elimination, transfer, or reorganization of existing departments, or the addition of new ones to the College of Education and Human Services shall be addressed in conjunction with input from the Chancellor, University procedures where applicable, the Dean and the faculty of the College. The decision of the faculty will be determined by referendum and the results conveyed to the Dean.

4. Adoption of the revised bylaws will follow the same procedures as outlined in section 4.01.

4.04 The College of Education and Human Services bylaws shall be reviewed at least every five years.

4.05 The current edition of Sturgis’ *Standard Code of Parliamentary Procedure* governs this organization in all parliamentary situations that are not provided for in the law or in its charter, bylaws, or adopted rules.

ARTICLE 5. Affirmative Action.

5.01 The College of Education and Human Services subscribes to and conforms to the affirmative action compliance program as published by the University of Wisconsin Oshkosh.
The faculty of the College of Letters and Science establishes these bylaws under the provisions of the Faculty Constitution in order to provide the organization and procedures by which the faculty may exercise its responsibilities for the immediate governance of the College and for the College's academic and faculty personnel matters, and through which faculty members may participate actively at all levels of College decision making.

ARTICLE I. The Faculty.

A. Definition of Faculty and Voting Rights

1. The voting faculty of the College shall consist of those ranked faculty members assigned to College departments (or equivalent units) who have the majority of their annual responsibilities within the College, or for those faculty members with equally split assignments who have chosen voting membership in the College.

2. Faculty members teaching in the College who have declared voting membership in another college may participate fully in discussions in College faculty meetings.

B. Powers and Responsibilities of the Faculty

1. The powers and responsibilities of the faculty, subject to those of the Chancellor, and exercised with appropriate consultation with the Dean and with due recognition of student and academic staff rights and University policies, include, but are not limited to, the following:

   a. Determination of the structure, policies, and procedures for the immediate faculty governance of the College; determination of faculty status and voting eligibility.

   b. Formulation of curriculum and long-range curriculum plans, and the coordination of curriculum within the College and with other colleges; determination of the programs, majors and minors, and courses to be offered by the College, and changes in or policies related to these; formulation of other academic policies within the College.

   c. Active participation in the formulation of College budget and staffing policies and of policies concerning the utilization of space and physical resources; recommendations concerning the application of these policies.

   d. Formulation of College policies concerning the retention and academic standing of its students, and degree requirements; the preparation of student complaint procedures; recommendations concerning the application of these policies and procedures.

   e. Formulation of College policies concerning the recruitment, evaluation, and appointment of persons to be assigned to teaching or professional duties in the College; determination of tenure and promotion policies, salary and merit policies, travel policies, and Faculty Development and CAS policies; recommendations concerning the application of these policies.

2. The powers and responsibilities of the faculty of departments will be exercised in accordance with the bylaws adopted by each department and accepted according to Article IX, Section 3 of the Faculty Constitution. Department bylaws will be consonant with College bylaws.

3. The powers and responsibilities of the faculty of the College will customarily be exercised through the elected faculty committees of the College. Decisions which impact the College as a whole may also be made by referendum.

4. In matters of primary faculty responsibility, policy decisions of the Faculty Committee or of the faculty in referendum will be College policy. If the Dean, after exercising his or her
consultative role provided in the bylaws, cannot accept the Faculty Committee policy de-
cision or the decision reached by the faculty in referendum, he or she will inform the facul-
ty or the College, in writing, why he or she is unable to accept the decision. Either the
Faculty Committee or the Dean may declare an impasse and enter the negotiations to re-
solve the impasse.
The Faculty Committee will negotiate on behalf of the faculty of the College. The Faculty
Committee will report regularly to the faculty on the progress of negotiations.

ARTICLE II. Meetings of the Faculty.

A. Meetings of the College faculty may be called by the Faculty Committee on its own initiative,
upon receipt of a petition signed by ten percent of the faculty or at the request of the Dean. All
such meetings will be only for discussion, dissemination or collection of information, or debate
of issues. The Chair of the Faculty Committee is to preside at all meetings.

B. It is the responsibility of the Faculty Committee to publish the agenda of such a meeting at
least one week in advance. Items may be placed on the agenda by the Faculty Committee,
the Dean, or by a petition signed by ten percent of the faculty.

ARTICLE III. Divisions, Departments and Programs.

A. Structure

1. A division is composed of one or more academic departments and non-departmental pro-
grams.

2. College faculty are organized by subject matter disciplines into academic departments
and non-departmental programs.

3. Non-departmental programs (NDPs) report to the Dean. Faculty members who partici-
pate in NDPs must establish bylaws for their programs. These faculty members will rec-
mend to the Faculty Committee, for approval, a list of faculty members who will draft
and vote on the bylaws for the program. NDP bylaws will define the program faculty and
the governance structure for the program. Each September until its bylaws are approved,
the NDPs will report to the Faculty Committee the names of faculty members participating
in the NDP who have voting rights for that year. New and existing NDPs will have three
years to submit bylaws for approval. Prior to the submission of bylaws, the program direc-
tor/coordinator will be nominated to the Dean by the Faculty Committee. Only those
NDPs comprised of at least one full-time faculty or continuing instructional academic staff
member who is not assigned to or housed in a department will have divisional voting
rights.

4. See Appendix B. (below) for the bylaws governing NDPs, as authorized under section
III.A.3., immediately above.

B. Proposals for Change

1. Changes of Divisions

Proposals for changes to divisions of the College (e.g. the creation of a division, the dele-
tion of a division, the movement of a department from one division to another) may be
made by the Chancellor, by the Dean, or by a majority of the faculty members of one or
more departments.

Such proposals and accompanying rationale will be made in writing and distributed to the
entire College faculty. There will be subsequent consultation between the Dean and the
faculty of the division(s) involved.

The faculty involved (i.e. the faculty of the division being created, the faculty of the division
being deleted, or the faculty of the division to which the department is moving or from
which the department is moving) will have the opportunity to make formal recommenda-
tions concerning such changes, addressed to the Curriculum Committee. The Curriculum
Committee will evaluate and make recommendations to the Faculty Committee concern-
ing the proposed change.
The Faculty Committee will assist in implementing the procedures for consultations, hearings, and voting. All proposals for the change to divisional organization of the College will require a college-wide referendum.

2. Changes of Departments

Proposals for changes to departments in the College (e.g. the creation of a department, the deletion of a department, the splitting of a department into two departments, or combining two or more departments) may be made by the Chancellor, by the Dean, or by faculty of one or more departments.

Such proposals and accompanying rationale will be made in writing and distributed to the faculty of the affected division(s). There will be subsequent consultation between the Dean and the faculty of the department(s) involved.

The faculty involved (i.e. the faculty of the department being created, the faculty of the department being deleted, or the faculty of the departments being combined) will have the opportunity to make formal recommendations concerning such changes, addressed to the Program Review Committee. The Program Review Committee will evaluate and make recommendations to the Faculty Committee concerning the proposed change.

The Faculty Committee will assist in implementing the procedures for consultations, hearings, and voting. All proposals for the change to departmental organization of the College will require a referendum across the division or divisions where the change is occurring.

3. Changes of Programs

Proposals for changes to programs of the College (e.g. the creation of a program, the deletion of a program, the movement of a program from one department to another) may be made by the Chancellor, by the Dean, or by faculty of one or more departments.

Such proposals and accompanying rationale will be made in writing and distributed to the faculty of the departments affected. There will be subsequent consultation between the Dean and the faculty of the department(s) involved.

The faculty involved (i.e. the faculty of the program being created, the faculty of the program being deleted, or the faculty of the department to which the program is moving or from which the program is moving) will have the opportunity to make formal recommendations concerning such changes.

a. Proposals which involve creation of a program shall be addressed to the Curriculum Committee. The Curriculum Committee will evaluate the proposal and make recommendations to the Faculty Committee concerning the proposed program. The Faculty Committee will, 1) determine the voting constituency and, 2) provide for the voting by faculty.

b. Proposals which involve the temporary relocation of a program may be made directly to the Faculty Committee provided the most recent program review recommendations from the Provost and Vice Chancellor include relocation; otherwise the proposal must be made to the Program Review Committee. The maximum amount of time that the program will be relocated must be specified in the proposal if a program is to be relocated in a department. A majority of the faculty members of the department temporarily receiving the program must approve the proposal to temporarily relocate the program and staff in their department; the Faculty Committee will provide for the voting.

c. Proposals which involve the permanent relocation of a program should be addressed to the Program Review Committee. The Program Review Committee will evaluate and make recommendations to the Faculty Committee concerning the proposed change. The Faculty Committee will hold hearings if a program is joining a department and provide for the voting. The proposal must be approved by a majority of the faculty members of the program being relocated. If the proposal calls for the relocation of the program to a department, then the proposal must also be approved by a majority of the faculty members in that department.
d. Proposals which involve deletion of a program shall be addressed to the Curriculum Committee. The Curriculum Committee will evaluate the proposal and make recommendations to the Faculty Committee concerning the impact on the College and University of deleting the program. The Faculty Committee will hold college-wide hearings. The proposal to delete the program will be approved if a majority of appropriate faculty support the proposal.

ARTICLE IV. Governance and Procedures.

A. Letters and Science Council and Standing Governance Committees

The College will have a Letters and Science Council, and the following standing governance committees:

1. Letters and Science Faculty Committee
2. Tenure and Renewal Committee
3. Promotion Committee
4. Curriculum Committee
5. Program Review Committee
6. Student Academic Committee
7. Academic Council for Interdisciplinary Studies

B. Letters and Science Council

1. The Letters and Science Council will be composed of the department chairs, non-departmental program directors/coordinators, and the Dean. Ex officio non-voting members will include the Assistant Deans, Associate Deans and the Faculty Committee. It will be chaired by the Dean or the Dean's designee.

2. The Council may identify and review matters of concern to the College. It will forward its recommendations for consideration to the Faculty Committee. The Council further serves as a communication link to all faculty in the College.

3. The department chairs and non-departmental program directors/coordinators of each division will meet as necessary with the appropriate associate dean to discuss and facilitate action on issues of concern to the division. Each division will elect a chair from among its members to conduct deliberations affecting curricular matters. Recommendations on curricular matters will be sent to the Curriculum Committee.

C. The Letters and Science Faculty Committee

1. The Faculty Committee will be the major policy-making body of the College. It may initiate policy recommendations and will receive the recommendations of the Letters and Science Council and faculty governance committees for review, acceptance, revision, or return to committee, prior to their transmission to the Dean. It will keep the faculty informed of all matters of concern to it and shall call for faculty referenda on any such matters, including proposals for change in departmental or divisional organization. It will determine the appropriate constituencies for these referenda. In addition, it will formulate College faculty personnel policies and procedures, as needed, and recommend these to the faculty for adoption. It will participate in the budget process and in the formulation of College budget and staffing policies and policies concerning the utilization of space and physical resources and will make recommendations concerning the application of these policies. In addition, its duties will include the following:

   a. It will prepare College election and voting procedures and determine faculty status and voting eligibility. It will arrange for and oversee all College voting including faculty referenda.

   b. It will receive and act on faculty petitions directed to its attention. The Faculty Committee shall call a meeting of faculty when it receives a petition requesting such a meeting signed by ten percent of the faculty. The Faculty Committee shall provide for hear-
ings and schedule a referendum when it receives a petition requesting a referendum
signed by twenty percent of the faculty.

c. It will arrange for the periodic review of these bylaws; make rulings in interpretation of
the bylaws; provide for liaison between College committees and committees created
by the Faculty Senate.

d. It will oversee the creation of ad hoc committees and assist in the preparation of their
charges; call all committees into session as required; and maintain a file of the
minutes and reports of all College committees and of the adopted policies of the Col-
lege.

e. At the request of the Chancellor, it will arrange for the election of faculty members to
search and screen committees, maintaining proportionate divisional representation on
these committees.

f. It will meet with the Provost and Vice Chancellor as soon as possible following the
appointment of a dean to discuss the role and responsibility of the dean and to pro-
vide for faculty input and reaction. It will provide for the election of an Ad Hoc Commit-
tee to provide faculty input in the administrative evaluation of the dean at least once
every three years.

2. The Faculty Committee will be the consultative committee for the consideration of declara-
tions of financial emergency affecting the College or any of its departments or programs. It
will provide liaison between the College and the University consultative committee in such
actions.

3. The Faculty Committee will report to the faculty at meetings or through written communi-
cations.

4. Any action of The Faculty Committee is subject to review by the faculty of the College as
a whole according to Article IV.C.1.b.

D. Tenure and Renewal Committee

The College Tenure and Renewal Committee will review the credentials of candidates for ten-
ure or renewal in accordance with department, College and University personnel policies and
forward its recommendations to the Dean.

E. Promotion Committee

The College Promotion Committee will review the credentials of candidates for promotion in
accordance with department, College and University personnel policies and forward its rec-
ommendations to the Dean.

F. Curriculum Committee

1. The College Curriculum Committee will formulate and act on the long-range curriculum
plans of the College including: mission statements, objectives, emphases, programs and
curricula. It will base its work on the recommendations of the faculty, consult with the
Dean, and transmit its decision to the Faculty Committee.

2. The Curriculum Committee will review and approve or disapprove the program and course
proposals submitted to it, and will transmit its decisions concerning these to the Dean.

G. Program Review Committee

The College Program Review Committee will review and evaluate the academic programs of
the College and proposals for change. Its review and recommendations will be transmitted to
the Faculty Committee and the Dean.

H. Student Academic Committee

1. The College Student Academic Committee will make recommendations to the Dean con-
cerning the retention and academic standing of students in the College, following the pro-
gress and academic standards set forth by the College and in the University Undergradu-
ate Bulletin.
2. The Committee will act on student complaints and appeals.

3. The Committee will recommend revision of the Student Appeals Policy as needed.

I. Academic Council for Interdisciplinary Studies

1. The Academic Council for Interdisciplinary Studies will formulate policy concerning the substance and process of Interdisciplinary Studies, as well as the evaluation of Interdisciplinary Studies courses. The Academic Council for Interdisciplinary Studies will forward its recommendations that fall under the purview of the Curriculum Committee to that committee and all other recommendations will be forwarded to the Faculty Committee prior to their transmission to the Dean.

2. The Council will review and implement policy pertaining to the Interdisciplinary Studies curriculum.

3. The Council will monitor the academic quality and effectiveness of the Interdisciplinary Studies curriculum.

4. The Council will act as the initial level of review in the curriculum development process.

J. Standing Committee Membership, Elections, Terms, Vacancies

1. Membership

   College standing committees will be composed of faculty members selected in division elections. If a division has fewer than 53.5 FTE (Full Time Equivalent faculty), it is entitled to one representative on each committee. If a division has more than 53.5 FTE, it is entitled to two representatives. Two members of the same department shall not serve on the same standing committee.

   Only faculty members with tenure may serve on the Faculty Committee, and the Tenure and Renewal Committee. Only those with rank of Professor may serve on the Promotion Committee. The Dean is a non-voting consultant to the Faculty Committee.

2. Elections, Terms

   Elections of members of standing committees will normally be concluded by the end of April. The new two-year terms begin at the start of the Fall semester.

   a. Terms will be staggered within divisions so that approximately one-half of each committee will be elected each year. In years when divisional representation may need to be changed, one- and two-year terms will be determined by the number of votes received. The candidates with the higher number of votes will receive the longer terms.

   b. Committee members are limited to two full consecutive terms. The Faculty Committee will appoint a convener for each standing committee at the beginning of each year. Committee chairs will be elected for one-year terms by the committee.

   c. Election to the Faculty Committee, Program Review Committee, and Tenure & Renewal Committee will be by a majority of the legal votes cast. If no candidate receives a majority on the first ballot, the second ballot will list the names of the three candidates receiving the highest number of votes; if necessary, the third ballot will list the names of the two candidates receiving the most votes. Tie votes on the third ballot will be broken by the Faculty Committee by drawing of lots.

   d. Election to other committees will be determined as follows:

      1) If any candidate receives at least 20% of the votes of those eligible to vote in the division, then the candidate receiving the plurality is elected.

      2) If no candidate receives 20% of the votes of those eligible to vote, or in the event of a tie, then the division shall have one run-off election in which the ballot will list the names of the two candidates receiving the most votes. The candidate receiving the plurality is elected. Tie votes will be broken by the Faculty Committee by the drawing of lots.
3. Vacancies
   a. Vacancies on the Faculty Committee, Program Review Committee, Tenure/Renewal Committee of more than sixty days will be filled for the balance of the term by a special election.
   b. Vacancies on other committees will be filled for the balance of the term by the persons receiving the next highest number of votes, if they had 20% of the votes of those eligible to vote for the offices at the most recent election. In the event a vacancy cannot be filled in this manner, a special election will be held.

4. Members of the Faculty Committee may be recalled by the members of the division they represent. A recall petition, signed by more than one-third of those eligible to vote in the division, will be addressed to the Faculty Committee, which will schedule a meeting of the division faculty within 10 working days of the receipt of the petition to discuss the matter. This meeting will be chaired by the Faculty Committee chair (or another member of the committee, selected by the Faculty Committee, should the petition involve the chair). The member of the Faculty Committee named in a recall petition may not vote in any Faculty Committee action related to the recall. Within 5 working days after the meeting the committee will schedule and conduct a recall vote. The member will be recalled if two thirds of the eligible voters of the division support the recall. A person recalled from office will be ineligible to serve on the Faculty Committee for two years following the recall.

K. Meetings
   1. The first meeting of the Faculty Committee will be held no later than the second week of the Fall semester. It will be convened by the previous chair or a convener selected by the committee. The committee will elect a chair at that first meeting.
   2. During the spring semester following the committee elections, the Faculty Committee will appoint a convener for each of the standing committees and provide the committees with any special charges or information necessary.
   3. Special meetings of standing committees may be called by the Faculty Committee, by the chair or by two members of the standing committee or the Dean.
   4. College standing committees will inform the Faculty Committee and the Dean of their regular and special meetings, keep minutes of all meetings, and file copies of their minutes with the Faculty Committee and the Dean.
   5. A quorum for all College standing committees will consist of a majority of the committee members eligible to vote.

L. Representation
   The number of division representatives on each College standing committee will be reviewed by the Faculty Committee following Faculty Senate reapportionment, using the membership formula described in Article IV.1.1.

M. Ad Hoc Committees
   Ad hoc committees may be established by the Faculty Committee to deal with specific College needs outside the charge of standing committees according to the provision of these Bylaws. The formation (by election, or by appointment by the Faculty Committee), composition, appropriate electorate, term of office, and charge will be determined at the time of their creation. The Faculty Committee will appoint the convener for each ad hoc committee and provide the charge to the committee. The committee will elect a chairperson. Each committee is to keep minutes of all meetings and file copies of minutes and final reports with the Faculty Committee and the Dean.

ARTICLE V. Voting Procedures and Definitions.
   A. Balloting for COLS elections, COLS referenda, and COLS bylaws revisions will be conducted in department offices, under procedure established by the Faculty Committee. Absentee ballots may be cast for these elections if the eligible faculty member is off campus due to leave,
sabbatical, or for other approved reasons. The faculty member must designate another faculty
member to cast his/her ballot in the usual manner on behalf of the absent faculty member.
The absent faculty member shall notify the Chair of the Faculty Committee of the identity of
the designee in writing at least one day prior to the election. The results of balloting will be
certified by the Faculty Committee and announced to the faculty.

B. In all voting in the College, the words majority and two-thirds will be defined in terms of the
number of legal votes cast. The word plurality will be defined as one more than the number of
legal votes cast for any other candidate.

C. If a single ballot is used to fill several positions on a single committee, then all candidates re-
ceiving exactly the same number of votes will all be elected or none of them will be elected.

D. When another ballot is required, a candidate’s name shall appear if all other candidates with
the same or a greater number of votes appear and, if the candidate’s name were not to ap-
pear, too few names would appear.

E. If the procedures prescribed in these bylaws do not fill a position then the Faculty Committee
shall fill the position(s) by lot from among those candidates receiving the greatest number of
votes.

F. If a procedural question concerning voting should arise which these bylaws do not answer, the
Faculty Committee shall determine a procedure for resolving the question.

ARTICLE VI. Department Chairs or Non-Departmental Program Coordinators.

A. Nomination of Chairs

Candidates for chair must be tenured and hold the rank of assistant, associate or full profes-
sor. The chairpersons of departments will be nominated to the Chancellor by the eligible facul-
ty of the department; nominations will require a majority of the legal votes cast. Voting will be
conducted at the time specified in the Faculty Constitution; the term will be for three years,
beginning at the end of the 17th week of the spring semester. Should the Chancellor not ac-
cept a nomination, subsequent nominations will be made under the same procedures.

B. Ballot for Chairs

The names of all eligible department members will appear on the first ballot unless depart-
ment bylaws specify otherwise. Election of the department chair will be by a majority of the le-
gal votes cast. If no candidate receives a majority on the first ballot, the second ballot will list
only the names of those receiving the three highest number of votes; if necessary, subse-
quent ballots will list only those receiving the two highest number of votes on the previous bal-
lot.

C. Chair Vacancies

1. Vacancies will be filled for the unexpired term by a special nominating election under the
appropriate procedures in A. and B. above.

2. Temporary vacancies will be filled according to procedures established in the department
in consultation with the Dean.

D. Recall of Chair

Should more than half of eligible voters of a department petition the Dean for a recall vote, the
Dean will schedule and preside at a special meeting of the department within ten working
days of the receipt of the petition. The Faculty Committee will schedule and conduct the recall
vote within five working days of this meeting. Recall will require two-thirds of the legal votes
cast to become effective. The result will be transmitted to the Chancellor.

E. Nomination of Non-Departmental Program Directors/Coordinators

The program director/coordinator of a non-departmental program will be nominated for a
three-year term to the Dean by a majority of the faculty members meeting the criteria specified
in its bylaws. If the Dean does not accept a nomination, subsequent nominations shall be
made under the same procedures.
ARTICLE VII. Parliamentary Authority.

A. The current edition of Sturgis’ *Standard Code of Parliamentary Procedure* will govern the College in the conduct of all faculty business, except as Sturgis is superseded by Article X, "Sources of Parliamentary Rules Governing the Faculty," in the Faculty Constitution or the provisions of these bylaws.

ARTICLE VIII. Bylaws.

A. The bylaws will be reviewed at least every five years by the Faculty Committee or by a bylaws committee elected according to procedures established by the Faculty Committee.

B. Proposals for amendment or revision may be made by the Faculty Committee, by an elected bylaws committee, or in a petition to the Faculty Committee from at least ten percent of the voting members of the College. Proposed amendments or revisions will be in the form in which they are to be voted on and will be accompanied by a rationale for the change; they will be distributed to the entire faculty.

C. Hearings will be held for the consideration of all amendments or revisions to the bylaws. The Faculty Committee will schedule and conduct such hearings.

D. Amendment or revision of these bylaws will require a majority of the legal votes cast by the voting members of the College.

E. Amendments and revisions will go into effect when approved by the faculty of the College and accepted according to Article IX, Section 3 of the Faculty Constitution.

APPENDIX A. Divisions of the College of Letters and Science

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1. FINE AND PERFORMING ARTS  
   Art, Music, Theatre

2. HUMANITIES  
   Communication, English, Foreign Languages and Literatures, Journalism, Philosophy, Religious Studies and Anthropology, Women’s Studies**.

3. MATH-SCIENCE  
   Biology and Microbiology, Chemistry, Computer Science, Environmental Studies, Geography and Urban Planning*, Geology, Kinesiology and Health, Mathematics, Physics and Astronomy, Psychology*, Medical Technology**.

4. SOCIAL SCIENCE  

APPENDIX B. Bylaws Pertaining to Non-Departmental Programs (NDPs).

1. **Divisional Voting Rights for NDPs**. NDPs shall be afforded divisional voting rights, if all of the following criteria are met: (a) the NDP is not housed within a department; (b) the NDP possesses a director; and (c) the NDP is comprised of at least one half-time faculty or continuing academic staff member.

2. **Recognition of NDP as Department Equivalent**. Requests to be recognized as a Department Equivalent will be reviewed by the Faculty Committee of COLS and approved by the Dean of COLS and by the Provost.
3. **NDP as Department Equivalent for Tenure Purposes.** NDPs will be considered the equivalent of a department for purposes of having a tenure home, the renewal and promotion process, bylaws, and merit if all the following five criteria are met: (a) satisfaction of the criteria for divisional voting (see section 1, above); (b) the unit or entity has a budget within the university's financial and accounting framework; (c) the unit or entity can assert a successful claim of two or more faculty FTE; (d) the unit or entity offers an academic major; and (e) the unit or entity has approved bylaws (which must stipulate the procedure used for selecting a director).

4. **Requests to Change Tenure Home.** Requests by an individual to change the designated department/unit holding the individual's tenured faculty appointment requires written approval: (a) by both programs (i.e., the NDP and the department); (b) by the concerned individual; (c) by the Dean of COLS and (d) by the Provost.

5. **New Faculty Appointments.** When members of the faculty are to have either a split appointment or dual appointment, there must be a written memorandum of understanding to effectuate and formalize those conditions. This memorandum should summarize: (a) the tenure home; (b) the merit home and/or proportion to be assigned from the participating units; and (c) the membership of the committee that will serve as the initial level of review for renewal and tenure. This document must be approved by both programs (i.e., the NDP and the department), the concerned individual, by the Dean of COLS, and by the Provost.

* = Secondary Membership

** = Non-department Membership
ARTICLE I. The College of Nursing Faculty/Instructional Academic Staff (IAS).

1.01 (1) Faculty
(a) The faculty consists of all persons appointed to the College of Nursing by the Chancellor of the University in the rank of professor, associate professor, assistant professor, and instructor.
(b) Graduate faculty are those faculty as defined in Chapter 3, 3.8, A-C, Faculty and Academic Staff Handbook.
(2) Instructional Academic Staff (IAS) shall consist of all persons appointed to the College of Nursing by the Chancellor of the University in the position of associate lecturer, lecturer, senior lecturer, clinical instructor, clinical assistant professor, clinical associate professor, and clinical professor.
(3) Voting rights:
(a) Faculty as defined in 1.01(1)(a) may vote and IAS with an appointment of more than one-half time in an academic department or equivalent unit and are in their fifth semester (or later) with that department or unit may vote. Academic staff working under a limited appointment are ineligible to vote.
(b) Voting rights for IAS are restricted to department (or their equivalent) affairs excluding recruitment, tenure, appointment/reappointment, merit, and promotion.
(c) If present, faculty and IAS with voting rights on leave of absence and lay-off are accorded full rights and privileges and may vote.
(d) Administrators who hold a limited appointment shall not be voting members of the College of Nursing.
(e) Departments (or equivalent units) must inform the senate each year of the IAS persons eligible for voting rights in the unit.

1.02 Responsibilities and Powers of the College of Nursing Faculty and IAS
(1) The powers and responsibilities of faculty and IAS, subject to those of the Chancellor, Dean, the University of Wisconsin Policies and Procedures, and recognized student rights include:
(a) Recommend the structure, policies and procedures for the shared governance of the College and determine IAS rank/title and voting eligibility.
(b) Formulate curriculum and procedures regarding curriculum. Make long-range curriculum plans; coordinate curriculum within College and with other colleges. Recommend programs, majors and minors, course offerings, and formulate academic policies within the College. Maintain primary responsibility for curricular matters within the College.
(c) Establish College policies concerning admission, retention and academic standing, student complaints and appeals, and recommendations concerning the application of these policies.
(d) Faculty formulate College policies concerning recruitment, evaluation, and
appointment and reappointment of faculty and IAS and teaching staff (not limited to full-time personnel) to be assigned to teaching or professional duties in the College; participate in recruitment and evaluation of prospective faculty and IAS members; provide input in hiring of faculty and IAS, IAS rank/title and voting eligibility and recommendations concerning the application of these policies.

(e) Participate in research, scholarly activity, professional service and continuing education.

(f) Sponsor conferences, institutes and continuing education courses appropriate to the College and related fields.

(g) Pursue excellence in clinical practice and the teaching of nursing.

(h) Participate in formulating College policies related to budget, staffing, space utilization and physical resources, and make recommendations concerning the application of these policies.

(i) Only IAS with voting rights are eligible to serve on standing committees.

(2) The powers and responsibilities of faculty and IAS of the College of Nursing will be exercised in accordance with the bylaws and accepted according to Article VIII, Sections 4 and 5 of the Faculty Constitution, University of Wisconsin Oshkosh Faculty and Staff Handbook, Chapter 1, Part A. These powers and responsibilities are exercised through elected faculty and IAS committees of the College, or are made by referendum.

(3) In matters of primary faculty and IAS responsibility, the policy decisions of the faculty and IAS will be considered College policy. If the Dean is unable to accept the decisions of the faculty and IAS in matters of primary responsibility, or its recommendation in other matters, the Dean will inform the faculty and IAS in writing or the reasons for such action in a timely manner acceptable to both parties.

ARTICLE II. MEETINGS OF THE COLLEGE FACULTY and IAS

2.01 The dates of faculty and IAS meetings shall be established at the beginning of each academic year. The order of business is determined by the College Committee. The quorum required to transact business consists of a majority of faculty and IAS as defined in 1.01, excluding those on leave of absence unless present to vote. A majority of those present and eligible to vote shall be required to carry a motion. The annual meeting will be held in May. Additional meetings of faculty and IAS are held at the call of the Dean or on petition of six faculty and IAS members to the Dean or the College Committee. Academic staff without voting rights are encouraged to attend meetings and participate.

2.02 Minutes are recorded, distributed, and retained for the archives.

2.03 The Dean transmits to the appropriate administrator or office of the University of Wisconsin Oshkosh, notice of actions, which are taken by faculty and IAS that are of concern to that administrator or office.

2.04 Agendas for faculty meetings are prepared by the chair of the College Committee in consultation with that committee and distributed to the College faculty and IAS at least five days prior to each meeting. Individual faculty and IAS may present items to the College Committee to be placed on the agenda. Individual faculty and IAS members
ARTICLE III. COLLEGE OF NURSING PROGRAM AND SUPPORT AREAS, STRUCTURE AND ORGANIZATION

The Personnel, Promotions and Search and Screen committees make recommendations to the Dean. All other committees submit their recommendations for ratification to the faculty and IAS of the College of Nursing.

3.01 Purpose
The bylaws shall establish the framework and specific policies and procedures by which programs can maintain stability, strength and growth. Such bylaws shall establish policies and procedures by which members shall participate in program affairs and by which faculty and IAS shall exercise their responsibility for College governance and their responsibility for academic and faculty and IAS personnel matters.

3.02 Structure
(1) The Dean is the executive officer of the College.
(2) There are three directors/assistant deans who oversee the overall responsibilities of the College of Nursing. (In this document, the term directors will be used throughout to denote directors/assistant deans).
(3) The College consists of two programs: undergraduate and graduate. Each program has a director who is responsible for curricular and other aspects of that program.
(4) College faculty and IAS may have responsibilities across programs, depending on the needs of the College. Each program may have one or more curricular options or emphases which are overseen by an appointed assistant director, coordinator or facilitator.
(5) The College supports a research center overseen by a director of research and evaluation.
(6) The College undergraduate program supports student academic affairs services overseen by an assistant director, student academic affairs.
(7) The College collaboratively manages a nurse-based community clinic.

3.03 Rights and Responsibilities of Program faculty and IAS
The faculty and IAS of a program, recognizing students’ role and the Chancellor’s responsibilities and authority in formulating University policy, shall have primary responsibility for the program’s academic and educational policy, and immediate governance in accordance with Article 1.02. Each voting member in the program shall have an equal voice in governance. Unless specifically prohibited elsewhere in this constitution or in the University policies as defined in Article VIII, Sections 4 & 5 of the constitution, the decisions of the majority of those present and eligible to vote shall be the decisions of the program.

3.04 Responsibilities of Program Director
(1) The director is responsible for seeing that provisions of the College bylaws, those policies, procedures, and decisions made by faculty and IAS in unit meetings, and University policies are discharged. The director shall keep faculty and IAS of the program informed about all curricular and academic matters as specified in Section 5 A, B, C of the Faculty Constitution (Faculty and Academic Staff Handbook).
If the director acts without consultation with members of the program, he or she shall inform all members of the reason for said actions. These actions shall be subject to review by the members.

(2) The director consults with members of the program in matters involving curricular and academic changes.

3.05 Selection and Evaluation of Undergraduate and Graduate Program Directors

The program director shall be nominated by a majority of eligible voters in each program of the College who cast ballots and shall be appointed by the Chancellor. If a nominee is not accepted by the Chancellor, another nominee shall be selected until the appointment is made.

(1) The nominees for program director are preferably tenured faculty. In the absence of tenured faculty, tenure-track faculty may be nominated. Nominations will be completed by secret ballot by March 1. The name of the person receiving a simple majority will be forwarded to the Chancellor. An appointment will be made by the Chancellor by May 1, to take office July 1. Should the office of chairperson or equivalent become vacant before the term expires, the office shall be filled for the remainder of the unexpired term by a chairperson/equivalent chosen by special nomination/ballot, which shall be held within 10 days after the vacancy occurs. The name of the person receiving a simple majority will be forwarded to the Chancellor. Should the vacancy occur in summer when the legal voters of the unit are not required to be on campus for professional or teaching responsibilities, the College of Nursing Personnel Committee will forward to the Chancellor one name for an interim program director to fill the term.

(2) The term of office of program director shall be 3 years.

(3) Eligible voters in the program may remove a director for good and sufficient reasons by vote of a two-thirds majority. A written petition by the program faculty and IAS or by the Chancellor shall be submitted to request that the program conduct such a vote. The vote shall be conducted by the College Committee. The outcome of the vote shall be forwarded as a recommendation to the Chancellor.

(4) The program directors’ performance will be reviewed and evaluated at least biennially by faculty and IAS from the respective programs and the Dean. The performance review and evaluation process will be conducted by the Chair of the Personnel Committee of the College. A written evaluation will be provided to each program director and to the Dean. The Dean shall request a meeting to discuss the evaluation.

3.06 Selection of Research & Evaluation Director

The Research & Evaluation Director shall be appointed by the Dean of the College of Nursing.

(1) The appointee is preferably tenured faculty. In the absence of tenured faculty, tenure-track faculty may be appointed.

(2) The term of office shall be 3 years.

(3) The Dean may remove the director for good and sufficient reasons.

(4) The Research and Evaluation Director’s performance will be reviewed and evaluated at least biennially by the Dean.

3.07 Proposals for Change

(1) Should major organizational change be proposed, consultation will occur among faculty and IAS, the Dean, and Provost and Vice Chancellor.

(2) Such proposals and accompanying rationale will be made in writing and distributed to the entire faculty and IAS. There will be subsequent consultation between the Dean and faculty and IAS of the program/unit involved and later with the entire faculty and IAS.
The Personnel, Promotions, and Search and Screen committees make recommendations to the Dean. All other committees are responsible to faculty and IAS of the College of Nursing. Copies of the agendas and proceedings of the graduate program, undergraduate program and College Committee shall be distributed or posted on faculty and IAS bulletin board in the College. Copies of the minutes of all standing committee proceedings will also be kept in the appropriate office.

The organizational meeting of standing committees will be called at the beginning of the academic year by the first person on the alphabetical listing for the committee. The chair will be elected for a 1-year term at this meeting. Each committee shall submit an annual written summary to faculty and IAS. Faculty and IAS committee members will be elected in the spring term and will take office in the fall term. College of Nursing students are selected by the Oshkosh Student Nurses Association (OSNA) for representation on standing committees in which they have membership.

Faculty and IAS should be present at committee meetings to vote unless otherwise specified. Faculty and IAS who hold committee membership and are granted a leave of absence shall notify the chair of the committee and the College Committee of his/her decision concerning participation in each committee membership during his/her absence.

4.01 College Committee

(1) The College Committee consists of 4 elected faculty as defined in 1.01(1)(a) of which 2 shall be tenured and 2 on tenure track with at least 2 years of service when accepting office, and one (1) elected IAS with voting rights for a 1-year term with option for re-election. Elected faculty shall serve staggered 2-year terms. The undergraduate and graduate program directors, and Research and Evaluation Director shall also be members of the College Committee. The Dean of the College will be a member without vote.

(2) A chair will be elected from among the tenured faculty members.

(3) The College Committee has the responsibility to:

(a) Act in advisory capacity to the Dean.
(b) Develop policies related to the College of Nursing for faculty and IAS consideration.
(c) Plan agenda for faculty meetings.
(d) Appoint members to ad hoc committees.
(e) Appoint an ad hoc committee to oversee yearly faculty and IAS elections.
(f) Appoint an ad hoc committee to review College bylaws every 3 years.
(g) Advise in planning and review of the annual budget for College.
(h) Participate in long-range planning for College including any innovative or entrepreneurial endeavors.
(i) Oversee and implement the master evaluation plan for the College.
(j) Oversee and implement the strategic plan for the College.

4.02 Graduate Program Committee

(1) The Graduate Program Committee shall consist of the graduate program director, the assistant director, advanced practice nursing; four elected graduate faculty as defined in 1.01(1)(b), and two appointed graduate students representing the Master of Science in Nursing (MSN) and Doctor of Nursing Practice (DNP) programs. The faculty shall serve for staggered 2-year terms and the student for a 1-year term.

(2) The chair shall be elected from among the elected tenured/tenure track
committee members. It is preferred that the program director not serve as chair.

(3) The Graduate Program Committee has the responsibility to:

(a) Develop and revise policies for the graduate program for faculty and IAS
    consideration as needed.
(b) Engage in systematic review and evaluation of the graduate curriculum, outcomes
    and objectives of the curriculum, and recommend revisions as needed.
(c) Participate in long-range planning to meet College of Nursing goals.
(d) Recommend admission, readmission, retention and progression of graduate
    students to graduate program director.
(e) Maintain articulation between the graduate and undergraduate programs.
(f) Make recommendations to the Dean regarding student awards and scholar-
    ships.
(g) Coordinate recruitment efforts of a diverse student body with appropriate
    University services and offices.
(h) Participate in enrollment management activities for the graduate program.
(i) Monitor and update, on a periodic basis, the currency of holdings related to
    nursing in Polk Library.
(j) Review and process requests for books and other learning resource materi-
    als and coordinate review activities.

4.03 Undergraduate Program Committee

(1) The Undergraduate Program Committee shall consist of the director of the under-
    graduate program; option coordinators; assistant director, student academic af-
    fairs, assistant director, ACCEL option, level facilitators; two elected undergradu-
    ate faculty or IAS as defined in 1.01, and two appointed students (one junior level
    and one senior level). The undergraduate faculty and IAS are elected for staggered
    2-year terms and the students for a 1-year term. Three of the positions on
    the committee shall be tenured or tenure track.
(2) The chair shall be elected for a 1-year term from among the tenured/tenure track
    committee members. It is preferred that the program director not serve as chair.
(3) The Undergraduate Program Committee has the responsibility to:

(a) Develop and revise policies for the undergraduate program for
    faculty and IAS consideration as needed.
(b) Engage in systematic review and evaluation of the undergraduate curriculum,
    outcomes/objectives of the curriculum, and recommend revisions as needed.
(c) Participate in long-range planning to meet College of Nursing goals.
(d) Recommend admission, readmission, retention and progression of under-
    graduate students to undergraduate program director.
(e) Maintain articulation between undergraduate and graduate programs.
(f) Coordinate recruitment efforts of a diverse student body with appropriate
    University services and offices.
(g) Participate in enrollment management activities for the undergraduate
    program.
(h) Monitor and update, on a periodic basis, the currency of holdings related
    to nursing in Polk Library.
(i) Review and process requests for books and other learning resource materi-
    als and coordinate all review activities.

4.04 Research and Professional Development Committee

(1) The Research and Professional Development Committee shall consist of the Re-
    search and Evaluation Director and two elected faculty or IAS one of whom must be
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tenured or tenure track faculty as defined in 1.01(1). Faculty and IAS shall serve staggered 2-year terms.

(2) The Research and Evaluation Director shall serve as chair.

(3) The Research and Professional Development Committee has the responsibility to:
   (a) Review, develop and evaluate research and professional development policies, programs and activities.
   (b) Facilitate inservice and research efforts within the interests/needs of the College.
   (c) Advise and consult with the Dean regarding needs, content and resources for research and professional development activities for the College of Nursing and area clinical agencies.
   (d) Review and recommend allocation of research and travel funds.

4.05 Undergraduate Academic Standing Committee

(1) The Undergraduate Academic Standing Committee shall consist of the director of the undergraduate program; assistant director, ACCEL option; assistant director, student academic affairs; three elected faculty or IAS as defined in 1.01, and two appointed undergraduate students (one junior and one senior level). Student members serve on the committee without vote. Faculty and IAS are elected for staggered 2-year terms, and students for a 1-year term.

(2) The chair is elected for a 1-year term from among the members of the committee.

(3) The Undergraduate Academic Standing Committee has the responsibility to:
   (a) Review academic policies and Student Handbook at minimum, every two years and recommend revisions to the faculty and IAS.
   (b) Make recommendations to the program director and the Dean regarding admission, readmission, progression and retention of undergraduate students, while maintaining overall academic standards of the College of Nursing.
   (c) Recommend to the Dean undergraduate students for scholarships and awards.

4.06 Evaluation Committee

(1) The Evaluation committee shall consist of the research and evaluation director; the undergraduate and graduate program directors; assistant director, advanced practice nursing, graduate program, and a faculty or IAS representative from ACCEL and RN to BSN Outreach options.

(2) The research and evaluation director shall serve as the chair.

(3) The Evaluation Committee has the responsibility to:
   (a) Coordinate all evaluation activities in the undergraduate and graduate programs.
   (b) Engage in systematic review and analysis of evaluation methods and recommend revisions every two years as appropriate.
   (c) Collect and analyze evaluation data, and share the results with the respective program directors, program committees, and faculty as appropriate.
   (d) Establish benchmarks for student/alumni/employer outcomes in collaboration with the undergraduate and graduate programs.
   (e) Recommend revisions for program improvement and effectiveness to appropriate committees based on outcome data.
   (f) Participate in long range planning to meet the CON vision, mission, and goals.

4.07 Personnel Committee
(1) The Personnel Committee shall consist of all tenured faculty.
(2) The chair shall be elected for a 1-year term by the committee members.
(3) The Personnel Committee, in accordance with University policies, has the following responsibilities:
   (a) Develop criteria and guidelines for faculty and IAS appointment, renewal, and merit; faculty tenure, promotion, and post-tenure review.
   (b) Develop criteria and guidelines for IAS clinical track promotion.
   (c) Review and submit merit criteria for faculty approval a minimum of every 3 years.
   (d) Recommend tenure and promotion policies, and salary and merit policies.
   (e) Serve as initial level of review and implement procedures for, appointment, renewal, merit, tenure, and promotion. This includes tenure decisions in which promotion to Associate Professor is automatic.
   (f) Make recommendations for appointment, renewal, merit, tenure, and promotion to the Dean.

4.08 Promotions Committee
(1) The Promotions Committee shall consist of all tenured faculty members as defined in 1.01 who hold the rank of Professor.
(2) The chair shall be elected for a 1-year term by the committee members.
(3) The Promotions Committee, in accordance with University policies, has the following responsibilities:
   (a) Serve as initial level of review for promotion decisions except those promotions to Associate Professor which are combined with tenure decisions (UW Oshkosh Faculty and Academic Staff Handbook, Section 5. A.2).
   (b) Assume responsibility for recommendations for rank of Professor at time of hire.
   (c) Evaluate faculty for promotion. Faculty who hold the rank of Professor shall participate in the discussion and voting of candidates for promotion to the rank of Professor.
   (d) Make recommendation concerning promotion to the Dean.

4.09 Faculty Search and Screen Committee
(1) The Faculty Search and Screen Committee shall consist of the graduate program director, the undergraduate program director and two elected tenured faculty as defined in 1.01 (1). The faculty shall serve for staggered 2-year terms.
(2) The chair shall be elected for a 1-year term.
(3) The Faculty Search and Screen Committee has the responsibility to:
   (a) Act in advisory capacity to the Dean.
   (b) Develop and implement procedures relating to faculty recruitment.
   (c) Screen applicants/application materials and make recommendations to the Dean regarding candidates to be interviewed.
   (d) Coordinate recruitment activities with the Office of Equity and Affirmative Action.

4.10 Ad Hoc Committees
(1) Ad hoc committees may be appointed for a limited term when deemed necessary by the Dean and/or the College Committee for special purposes.
(2) The formation, composition, appropriate electorate, term of office and charge will be determined at the time of the committee creation.
(3) The Dean and/or College Committee will appoint a chair of any ad hoc committee.
(4) Each ad hoc committee is to keep minutes of all meetings and file copies of minutes and final reports with the appropriate office. .
(5) A final written report shall be filed by the committee chair when the limited term expires.

4.11 Faculty and IAS Appeals and Grievances
See procedures in University of Wisconsin Oshkosh College of Nursing Faculty Handbook and University Faculty and Academic Staff Handbook.

ARTICLE V. BYLAWS

5.01 The most current edition of Sturgis’ Standard Code for Parliamentary Procedure determines conduct and proceedings of faculty and IAS and standing committees unless otherwise specified by College of Nursing policy or procedure.

5.02 The bylaws will be reviewed at least every 3 years.
(1) These bylaws may be amended by a two-thirds affirmative vote of the faculty of the College as defined in 1.01 (1), who vote either “yes” or “no.” A vote of “present” or abstention from voting is not counted as a “no” vote. Voting will be conducted by paper ballot, after at least two weeks’ notice of proposed amendments, at a regularly scheduled meeting of the college faculty, or by referendum.
(2) Hearings will be held for consideration of all amendments or revisions to the bylaws. The Bylaws Ad Hoc committee will schedule and conduct such hearings.
(3) Bylaws are amended by two-thirds majority vote of faculty and IAS of the College as defined in 1.01 and will go into effect when approved by the College faculty and IAS and Faculty Senate of the University.

Revisions approved by CON faculty November 21, 1997
Approved by CON faculty December 12, 1997
Approved by Faculty Senate February 1998
Revisions approved by CON faculty February 12, 1999
Approved by Faculty Senate May 4, 1999
Approved by College of Nursing Faculty September 21, 2001
Approved by Faculty Senate December 12, 2001
Approved by CON faculty February 18, 2005
Approved by Faculty Senate December 2005
Revised Fall 2006
Approved by CON faculty, January 12, 2007
Revisions approved by CON faculty, January 22, 2010
Revisions approved by CON faculty, March 19, 2010
Approved by Faculty Senate April 10, 2010
Revisions approved by CON faculty May 19, 2011
Approved by Faculty Senate January 17, 2012
GOV 5.5. Polk Library Bylaws.
The purpose of these bylaws is to establish policy and procedures to ensure the Faculty participation in faculty matters.

ARTICLE I. Membership.
Membership in the Unit is defined in the Faculty Constitution, Article I, Section 1, and Article VIII, Section 3.

ARTICLE II. Rights and Responsibilities of Members.
Section 1. Rights and Responsibilities.
Faculty have the rights and responsibilities defined in Article VIII, Section 4, of the Faculty Constitution.

Section 2. Voting.
A quorum consists of the majority of the Faculty eligible to vote. A majority vote is defined to be more than half of those voting. The decisions of the majority of voting members at a meeting shall be the decisions of the Unit.

Section 3. Faculty Meetings.
The sources of parliamentary rules governing the Faculty are described in Article X of the Faculty Constitution.

A. Regular meetings will be held during the academic year and there will be a minimum of two meetings per semester. In addition, the Chair will call a special meeting when an issue arises that cannot wait for a regular meeting or when it is requested by at least 2 members of the Faculty.

B. At least two-thirds of the Faculty must be present at a meeting that calls for a decision on any issue. Each such issue will be decided by a simple majority of the members present except where a different vote is required in these bylaws, the Faculty Constitution, or the current parliamentary authority.

C. The agenda shall be decided by the Chair and distributed to all Faculty at least 2 working days in advance of the meeting. Agenda items may be submitted by any member for inclusion on the agenda. The agenda may be modified or amended by action at a meeting.

ARTICLE III. Offices.
Section 1. Chair.
The responsibilities of the Chair are defined in Article VIII, Section 5, of the Faculty Constitution.

- Selection of Chair
  The procedure for selection of the Chair is described in Article VIII, Section 6, of the Faculty Constitution. If the office becomes vacant, a replacement will be selected according to the procedure in Article VIII, Section 6, of the Faculty Constitution.

- Recall of Chair
  The procedure for removal of a Chair is described in Article VIII, Section 6, of the Faculty Constitution.

ARTICLE IV. Committees.
Section 1. Personnel Committee.
The Personnel Committee consists of all Faculty of the Unit. Decisions are made by a majority vote. The duties of this Committee shall be to make all decisions on renewal/nonrenewal tenure, promotion, peer evaluation and post-tenure review. Such decisions require that evaluation be made in the area of librarianship, professional and scholarly growth, and service and are based on Section IV: LLR Renewal/Tenure/Promotion Guidelines in the LLR Faculty Handbook. Peer evaluation shall be done on a biennial basis and the results used for merit pay recommendations and post-tenure review. There is
Section 2. Collection Development Committee.

All members shall serve on the Collection Development Committee and have responsibilities for specific academic departments as assigned. The faculty will elect a chair and forward the recommendation to the Assistant Vice Chancellor for Information Technology.

Section 3. Ad Hoc Committee.

Ad hoc committees serve at the pleasure of the Faculty and are appointed as needed; for example, a bylaws review committee.

ARTICLE V. Amendments, Rules, Ratification

Section 1. Amendments.

These Bylaws may be amended at any time by a two-thirds majority vote of eligible voters. Proposed amendments will be discussed at a faculty meeting and then voted on at a meeting scheduled within two weeks.

Section 2. Rules.

The most current edition of Sturgis' Standard Code of Parliamentary Procedure will determine conduct and proceedings unless overridden by statute, UW System or UW Oshkosh rules, or these Bylaws.

Section 3. Ratification.

These Bylaws shall be considered ratified and shall become effective when they have been approved by a two-thirds majority of eligible voters and have been accepted by the Faculty Senate.
Article I. Graduate Faculty

Section I. Definition.
Graduate Faculty members shall include those persons of the University of Wisconsin Oshkosh who qualify for and accept appointment as Graduate Faculty and who assume any of the incumbent responsibilities.

Section 2. Responsibility.
These responsibilities may include, but are not limited to, graduate admissions decisions and recommendations; graduate student academic advisement; Graduate Council and/or departmental graduate committee activities; candidacy and Comprehensive Examination responsibilities; involvement with theses, seminar or clinical paper development and evaluation; assignment to graduate classroom instruction.

Section 3. Membership.
The Graduate Faculty shall consist of three groups:

a. Ranked Faculty
Qualifications:
1) the earned doctorate or the appropriate terminal degree in the professional field or discipline;
2) rank of assistant professor, associate professor, or professor;
3) a record of productive scholarship;
4) ability for graduate level teaching;
5) assignment to activities central to the student's completion of graduate program requirements.

b. Full-time Teaching Academic Staff (appointment for one year and renewable)
Qualifications:
1) the earned doctorate or the appropriate terminal degree in the professional field or discipline from a graduate school accredited by a regional accrediting agency;
2) a record of productive scholarship;
3) ability for graduate level teaching; and
4) assignment to graduate teaching or other responsibilities as identified in Section 2.
c. Part-Time Teaching Academic Staff

Adjunct appointments are granted to persons who have professional expertise in their field similar to faculty on the campus and who are fully employed outside the University. These appointments do not include implications for tenure or probationary status and do not convey faculty voting status.

Section 4. Appointment Procedure

a. On an annual basis by October 1st each college shall respond to the Dean-in-Residence new nominees, continuing members, and deleted members of the Graduate Faculty. Appointments will be approved by the Dean-in-Residence.

Article II. Graduate Council

Section 1. Membership and Leadership.

The Graduate Council is a body representative of the University’s Graduate Programs. The Council is composed of:

a. The Coordinator of each active graduate degree program (or a substitute from that program who is designated by the coordinator for that meeting which the designee attends [GC approved 12/3/09]) will serve on the Graduate Council as a voting member. “Active” is defined as having, over the last three years, on average at least five students taking classes. Alternates serve in lieu of a Representative on the Graduate Council. Alternates may serve on Graduate Council Committees. Alternates serve on the Committees for the Graduate Council member for whom they are an alternate. [GC approved 10/7/10]. The term for all Graduate Council members is indefinite concurrent with their term as coordinator for their respective program. There is an expectation of some service during the summer. The calendar for a term is September 1 through August 31.

b. The Graduate Council shall nominate and the Oshkosh Students Association (OSA) shall appoint two graduate students as voting members to serve for 1-year terms that begin each year on October 1. There is an expectation of some service during the summer.

c. One graduate faculty member or administrative appointee who holds graduate faculty status from each college shall be chosen by the College Dean. The term for a Council appointee shall be one year (including summer) from September 1 through August 31.

d. Chairperson: A chairperson will be elected by a majority of the Graduate Council to a 3-year term at the last meeting of the Spring Semester every other year. A term for the Chairperson shall be September 1 through August 31 at the end of the third year. The Chair will represent the Council, assist in developing agendas for meetings, preside over meetings, and lead the Executive Committee. The Chair is a voting member of the Council.

e. Dean-in-Residence: The Provost and Vice Chancellor for Academic Affairs selects a Dean from one of the colleges to serve as an ex officio non-voting member. The Dean-in-Residence will act on behalf of the Provost and Vice Chancellor, will serve as the academic representative of the Office of Graduate Studies and will provide advice and counsel to the Provost and Vice chancellor on issues related to graduate education. The appointment will be for a 3-year term and is expected to rotate from college to college.

f. The Director of Graduate Studies as an ex officio non-voting member.

Section 2. Rights and Responsibilities.

The Council is responsible for the formulation of policies concerning the graduate programs of the University of Wisconsin Oshkosh, and it serves as an advisory body to the Provost and Vice Chancellor and the Dean-in-Residence concerning the implementation of these policies. The Council has the function and power to:

a. Establish goals and directions at the University of Wisconsin Oshkosh that are supportive of program quality including overall consistency of standards for graduate education.
b. Provide oversight regarding developing, executing or implementing a strategic plan for graduate studies and the initiatives, action steps or activities necessary to achieve the goals of a strategic plan.

c. Advise the Provost and Vice Chancellor and Dean-in-Residence on matters related to planning and coordination of graduate education.

d. Request that the Provost and Vice Chancellor and Dean in Residence direct specific studies to be undertaken on matters of concern to the Council.

e. Review annually selected existing graduate programs with recommendation for administrative action for continuance, modification, or discontinuance.

f. Review and recommend for administrative action new or substantially revised graduate programs.

g. Review and approve course proposals.

h. Serve as an appellate body for exceptions to Office of Graduate Studies’ policies.

Section 3. Meetings.

a. The Council shall meet at least twice each semester or at the discretion of Council members, the Chair, or the Dean-in-Residence.

b. Agenda items must be submitted to the Chair at least 5 calendar days prior to a regularly scheduled meeting. Agenda items may be submitted by any member of the graduate faculty.

c. The Council at its discretion will cast and accept votes by email for those action items it deems appropriate to be voted upon electronically.

d. Minutes of the proceedings of the Graduate Council shall be recorded and maintained by the Secretary to the Council who shall be responsible for distributing copies of the minutes to Council members and other interested parties.

e. In order to conduct business a quorum, which consists of a majority of voting members, must be present.

Article III. Committees

Members of the Graduate Faculty shall serve on standing and special committees when duly selected or by procedures established by these bylaws, by the Graduate Council, by the Dean-in-Residence, or by the committees.

Section I. Executive Committee of the Graduate Council

a. The Executive Committee shall be composed of a representative from each College approved annually by the Graduate Council at its first fall meeting, a student member of the Graduate Council elected annually by the Council, the Chair, and the Dean in Residence as ex-officio.

b. A term for an Executive Committee member shall be from September 1 through August 31. There is an expectation for some service during the summer.

c. The Executive Committee shall meet at the call of the chairperson and may conduct business via telephone, E-mail or written communications.

d. The Executive Committee shall:

1) Serve as a planning and advisory resource to the Graduate Council Chair and Dean in Residence regarding administrative policies and procedures, programs, and current issues facing the Office of Graduate Studies.

2) Shall have the authority and responsibility to hear appeals for exceptions to Office of Graduate Studies policy based on the Office of Graduate Studies’ Appeals Procedures document for:

   a) graduate students, with subsequent appeal to the entire Graduate Council.
b) graduate faculty, departments or other academic units regarding administrative actions of
the Office of Graduate Studies Office affecting the conduct of graduate programs, subject
to appeal to the entire Graduate Council.

3) Oversee the publication of an annual report for Graduate Studies. Ensure that the Graduate
Council Chair and the Office of Graduate Studies produce a report that looks professional and
is published each year and in concordance with any established deadlines.

Section 2. Curriculum Approval Committee

a. The Curriculum Approval Committee shall be composed of a Graduate Council member from
each College elected annually at the first fall meeting by the Graduate Council and a student
member of the Graduate Council elected annually by the Council. The Chair of the Committee
shall be elected by the Committee members.

b. The Committee shall have the authority and responsibility to:

Review changes in curricula, program reviews, credit requirements, and admissions criteria;
make decisions that support program quality and consistency of standards in the graduate
programs and review other curricular matters; and report actions to the Graduate Council. The
full Graduate Council will always vote on the recommendations for all graduate program re-
views, new program authorizations and program discontinuations.

c. The Committee shall meet as necessary, as determined by the Committee Chair.

d. Minutes of the Committee meetings shall be kept and distributed to Graduate Council mem-
bers along with the agenda for the next Council meeting.

e. The Chair of the Committee or designee shall make an oral report on the Committee’s most
recent actions to the Graduate Council at the Council’s first meeting after the Committee
meeting.

f. If Committee members cannot reach a decision regarding any action, the full Council will re-
view and vote on a decision.

Section 3. Distinguished Scholarship/Research Committee

a. The Distinguished Scholarship/Research Committee shall be composed of a Graduate Coun-
cil member from each College elected annually by the Graduate Council at the first official
meeting of the fall semester. The Chair of the Committee shall be elected by the Committee
members.

b. The Committee shall have the authority and responsibility as follows:

1) select annually the University's most distinguished thesis;

2) select annually the University’s most distinguished scholarship/research of graduate stu-
dents

3) review graduate student nominees for any regional and national academic, research or
scholarship honors.

c. The Chair of the Committee or designee shall make an oral report on the Committee’s most
recent actions to the Graduate Council at the Council's first meeting after the Committee
meeting.

Section 4. Graduate Studies Travel Fund Review Committee

a. The Graduate Studies Travel Fund (GSTF) Review Committee shall be composed of a Grad-
uate Council member from each College elected annually by the Graduate Council at a fall
meeting. The Chair of the Committee shall be elected by the Committee members.

b. The Graduate Studies Travel Fund (GSTF) promotes the scholarly work of graduate students
by defraying all or part of the cost of travel for graduate students to present at professional
meetings and conferences. The Graduate Studies Travel Fund Review Committee has the au-
thority and responsibility to establish criteria for use of the funds, to develop the process for
submitting requests and to approve/disapprove requests for use of the GSTF.
c. The Chair of the Committee or designee shall make an oral report on the Committee’s most recent actions to the Graduate Council at the Council’s first meeting after the Committee meeting.

Section 5. Other Committees.

Ad hoc committees may be appointed for limited terms by the Graduate Council.

Article IV. Reviewing and Amending the Bylaws

The Executive Committee of the Graduate Council will ensure a biennial review and subsequent amending of the Graduate Council bylaws.

These bylaws may be amended by a two-thirds majority vote of all eligible members of the Graduate Council. Standard practice shall be that this vote occur after at least one reading or discussion of the proposed amendment(s) during at least one meeting of the full Council at which the bylaw change(s) are discussed. However, the Graduate Council Chair may request a waiver of the one reading/discussion and/or one meeting. A simple majority vote of all eligible members of the Graduate Council is needed to grant the waiver. The final vote for any amendment(s) may be held at a meeting or through written or electronic ballot.

Article V. Parliamentary Authority

The current edition of Sturgis Standard Code of Parliamentary Procedure governs this organization in all parliamentary situations that are not provided for in the law or in the charter, bylaws, or adopted rules.
GOV 6. GOVERNANCE DOCUMENTS.

GOV 6.1. Faculty Voting Rights for Instructional Academic Staff.

History: This document was originally approved by the Faculty Senate in November 1986 and by the Chancellor in December 1986. After consultation with the Faculty Senate and the Senate of Academic Staff, the following amendments were approved by Chancellor Kerrigan in December 1992. Revisions were made to the document and approved by the Faculty Senate on May 3, 1994 and, after consultation with the Senate of Academic Staff, approved by Chancellor Kerrigan on June 6, 1994. Section II was revised and received final approval on April 14, 1998.

I. Criteria for Eligibility for Faculty Voting Rights.

Academic staff members will be automatically eligible to exercise faculty voting rights if they are working in an instructional assignment with an appointment of more than one-half time in an academic department or equivalent unit and are in their fifth semester with that department or unit. Academic staff working under a limited appointment are ineligible.

II. Conditions Under Which Voting Rights Are Extended.

Faculty voting rights for Instructional Academic Staff are restricted to departments (or their equivalent) affairs excluding recruitment, tenure, appointment/reappointment and promotion. Instructional Academic Staff who are in their departments’ (or equivalent) merit pool may vote on merit recommendations; all others are excluded. Departments (or equivalent) can determine whether or not Administrative/Professional Academic Staff be given the same voting rights as Instructional Academic Staff.

III. Procedures.

Departments (or equivalent units) must inform the senate each year of the instructional academic staff persons eligible for voting rights in the unit.
Principles Concerning All-University or Joint Committees and Related Governance Structures

Other Governance Documents

GOV 6.2. Principles Concerning All-University or Joint Committees and Related Governance Structures.

Revised 12/93

1. Consistent with the principles of shared governance, where there is a clear need, the Chancellor (or designee) may establish all-University or joint committees comprised of representatives selected or nominated by the University's three governance organizations (i.e., the Faculty Senate, the Senate of Academic Staff, and the Oshkosh Student Association).

   A. Temporary or emerging issues should be addressed through the establishment of ad hoc all-University or joint committees, rather than the creation of another standing committee. Ad hoc committees are generally formed for the purpose of reviewing or addressing a specific issue or problem. Once an ad hoc committee has completed its assignment, it shall be disbanded.

   B. Requests for nominations of committee members shall be sent to the Presidents of the three governance groups and the representative members of the committees will be nominated by those governance organizations. Unless an exception is stated below for a given committee, the governance group representatives shall serve no more than two consecutive three-year terms on any given committee. [Note: In preparing these materials, we recognize the value of a decision made at the time of merger by former Chancellor Birnbaum that significant student participation on all-University committees is a desired goal, and that we should strive for a minimum student representation level of 20 percent of each committee.] All committee members, regardless of how appointed, will continue to serve as full members until a replacement name has been submitted by the appointing authority. In addition to the identified members, please note that additional persons may regularly or periodically attend meetings in resource or liaison roles.

   (1) Whenever reference is made to participation by academic staff, requests for appointment shall be presented to the President of the Senate of Academic Staff.

   (2) Whenever reference is made to participation by faculty, requests for appointment shall be presented to the President of the Faculty Senate.

   (3) Whenever reference is made to participation by students representing the Oshkosh Student Association, requests for appointment shall be presented to the President of the Oshkosh Student Association.

      (a) Given the annual change in student government leadership, student terms will be for the duration of the academic year.

   (4) Whenever reference is made to participation by represented classified staff personnel, requests for appointment shall be presented to the President of the WSEU local union.

   (5) Whenever reference is made to participation by nonrepresented classified staff personnel, requests for appointment shall be presented to the Director of Human Resources, as liaison to those nonrepresented employees. Please note: The formation of committees, the appointment of classified staff to serve on committees, and the scope of issues addressed by committees impacting on subjects of collective bargaining negotiations with the Wisconsin State Employees Union (WSEU) shall be done in a manner consistent with the contractual requirements pertaining to those employees.

   (6) Whenever reference is made to participation by administrative representatives, the appointment shall be made by the Chancellor (or designee) or Provost and Vice Chancellor (or designee).

C. Committee appointments shall begin effective July 1 and continue through to June 30 of the year of expiration. It is anticipated that most committees will regularly meet during the academic year (September to May) with some committees on occasion meeting during the summer months, provided that suitable and appropriate arrangements have been made to facilitate faculty and student participation and involvement.

2. At the time of their formation, all committees shall receive a written statement of their charge (or of the issue or topic to be addressed). The statement of charge should also be included in the listing
Principles Concerning All-University or Joint Committees and Related Governance Structures

of materials that are included in the section that follows in the Faculty and Academic Staff Handbook. Committees should also be informed of any deadlines for the completion of work by the committee.

A. Unless another method of selection is stated at the time the committee is charged, the committee chair or co-chair, if any, shall be elected by the members of committee at the committee's organizational meeting.

B. Each committee should make suitable arrangements to prepare minutes or a summary of proceedings from committee meetings.

C. All committees shall operate in accordance with their charge or any other applicable organizing documents. Committees shall utilize Sturgis as the source of parliamentary authority.

D. After the end of a given academic year, the last sitting chair of the committee shall assume responsibility to be the convener of the next committee meeting, unless other suitable arrangements have been made. The administrative representative on a committee shall assist in convening the committee early in the fall should there be a break in the continuity of the committee's meeting schedule.

3. The charge of all-University committees, and their rationale for continued existence, shall be reviewed cooperatively by the administration and the governance groups at least once every three to five years.

4. The Provost and Vice Chancellor's Office shall serve in a resource role to facilitate the dissemination of all committee-related information. The Faculty and Academic Staff Handbook shall identify all existing all-University committees and the applicable information concerning organizational structure. Rosters of committee members and other materials shall be filed with and maintained by the Provost and Vice Chancellor's Office.

5. All University committees shall prepare a written annual report for the Provost and Vice Chancellor and the governance groups that includes, at a minimum, the following items: (1) the committee charge; (2) the roster of committee members; (3) the dates of all committee meetings (including the total number of hours spent in those meetings); and (4) a brief description of committee activities (e.g., the formation of sub-committees and/or a listing of committee projects and activities).

Note: Some of the committees have established or mandated lines of reportage to functional area administrators or offices (e.g., Intercollegiate Athletic Committee and the Segregated Fee Committee).

A. Committee reports may, as appropriate, include a discussion of the importance of committee projects or activities to the goals and mission of the University. The report may identify resources or information necessary for the committee to be more effective in accomplishing objectives or fulfilling its charge. The report may also propose modifications to, or a restatement of, committee charges. Further, if the members of the committee do not believe that the committee is fulfilling an important role or function, the report can recommend disbanding the committee or the consolidation or reorganization of two or more committees.

B. Copies of the report shall be sent to the Chancellor and to the Presidents of the Faculty Senate, the Senate of Academic Staff, and the Oshkosh Student Association.

C. Unless a committee is mandated by a source of external authority, committees shall be dissolved if one of the governance groups submits such a request to the Chancellor and the other governance groups concur.

In August 2005, the committees listed in this document were modified to reflect those known to be currently in existence. Committee rosters and updated copies of this information are available upon request from the Office of the Provost and Vice Chancellor. Proposals to create new committees or to modify existing charges, composition levels, or provisions relating to the chair should be presented to the Provost/Vice Chancellor.
Academic Computer Users Group

Charge: To serve as an advisory group to the Chief Information Officer to address issues regarding the use of technology for instruction, research, and support services.

Composition: Faculty or Instructional Academic Staff – 11 (two each from COB, COEHS, CON and five from COLS); Governance – 5 (two from the Faculty Senate, one each from Senate of Academic Staff, Classified Staff Council, and OSA); Residence Life Staff – 1; Information Technology Staff – 4 (one each from Media Services, Polk Library, Academic Computing, and Networking, Telecommunications, & Administrative Programming); Ex Officio – 1 (Chief Information Officer).

Chair: Director of Academic Computing.

Advisory Council for Academic Advising

Charge: To provide guidance and support to the Director of Advising and to provide the university community information and support around issues of academic advising.

Composition: Faculty – 7 (one from each professional college and four from Letters & Science/each division); Academic Staff – 2 (one instructional academic staff member and one administrative/professional administrative/professional staff member to be drawn from the areas of Career Services, Counseling Center, Student Support Services, Residence Life, Registration, Student Health Center and Undergraduate Advising Resource Center (UARC)); Students – 2; Classified Staff – 1; Ex Officio – 1 (Director of UARC).

Chair: Chosen by committee.

Allocations Committee

Charge: To review funding requests and make recommendations to the Chancellor on the disbursement of the allocatable portion of student segregated fees.

Composition: Faculty -- 2; Academic Staff -- 2; Students -- 7 (5 voting, 2 non-voting); Advisor (ex officio and non-voting) -- 1.

Chair: A student elected by the committee.

American Disabilities Act Advisory Committee

Charge: To evaluate existing programs, investigate unmet needs, and make recommendations to the Coordinator of Services to Students with Disabilities and the administration of the University in accordance with Board of Regents’ policy 96-6 (nondiscrimination on basis of disability). The committee will have specific responsibility for hearing disability-related student grievances.

Composition: Faculty – 4 (one from each college); Academic Staff – 2; Classified Staff – 2; Students – 2; Administration – 1; the Coordinator of Services for Students with Disabilities.

Chair: The Coordinator of Services for Students with Disabilities.

Compensation Committee

Charge: To review state or system compensation guidelines and other information, and develop policies and procedures to administer faculty and academic staff compensation. Serves as the salary review committee.

Composition: Faculty -- 8; Academic Staff -- 4; Ex Officio -- 2 -- Provost and Vice Chancellor and Associate Vice Chancellor; Ex Officio and non-voting -- 2 -- Budget Director and Director of Equity & Affirmative Action.

Chair: Provost and Vice Chancellor co-chairs with a member chosen by the committee.

Distinguished Teaching Award Committee

Charge: To oversee the nomination and selection process for the Distinguished Teaching Award.

Composition: Faculty – 7 (1 from each professional college, and 4 from Letters and Science/each division, including, if possible, a prior award recipient); Instructional Academic Staff – 3 (including, if possible, a prior award recipient); Administration -- 1 (appointed by the Provost and Vice Chancellor as an ex officio non-voting member); Students – 3; Alumni Board -- 1 (the Chancellor should make this appointment based upon the joint recommendation from the Director of University Relations and the Director of Alumni Affairs).

Chair: Chosen by committee.

Employee Assistance Program Advisory Board
ChARGE: To advise the Director of the Employee Assistance Program regarding the offering of services intended to assist faculty, academic staff, and classified staff whose job performance is being adversely affected by cultural, physical, social or psychological problems.

COMPOSITION: Faculty -- 3; Academic Staff -- 3; Represented Classified Staff -- 1; Nonrepresented Classified Staff -- 1; Ex Officio -- 2 to 5 -- Represented Classified Staff, WSEU Local 579; representative(s) from the following designated areas (one person may represent more than one area) -- Chancellor’s Office; Human Resources Office; Office of Equity and Affirmative Action; Associate Vice Chancellor.

CHAIR: Chosen by committee.

ETHICS CODE COMMITTEE.

ChARGE: To provide consultation and advice for unclassified staff members on the application of Chapter UWS 8, Administrative Code ("Unclassified Staff Code of Ethics"). Each member of this committee shall review Chapter UWS 8 prior to taking any action. (This is a mandated committee.) Created under section UWS 8.035.

COMPOSITION: Ex Officio -- 5 -- Faculty -- 2 (Senate President and President-Elect); Academic Staff -- 2 (Senate President and President-Elect); Administration -- 1 (Associate Vice Chancellor).

CHAIR: The Associate Vice Chancellor.

FACULTY DEVELOPMENT BOARD.

ChARGE: To make recommendations to the Provost and Vice Chancellor on proposed faculty development projects and administers the Faculty Development Program. The Board monitors program budgets, administrative procedures, drafts changes in program policy, and organizes the program evaluation efforts.

COMPOSITION: Faculty -- 10 (two from each college and two at-large members); Ex Officio -- 3 -- (designee of the Provost and Vice Chancellor; designee of the Provost and Vice Chancellor for the Office of Graduate Studies; Director of Grants). No more than four members of all the same college.

CHAIR: Elected from among the faculty members on the Board.

GENDER EQUITY COUNCIL.

ChARGE: To act in consultation with the Chancellor to: 1) oversee the development of programs that support goals, objectives and initiatives of the Ten-Year Plan addressing women’s Issues; 2) identify persons responsible for implementing this plan; 3) evaluate the effectiveness of programs designed to accomplish this plan.

COMPOSITION: Faculty -- 4 representing the College of Letters and Science, College of Business Administration, College of Nursing, College of Education and Human Services; Academic Staff-- 2 representing administrative/professional and instructional; Classified Staff -- 2 representing represented staff and non-represented staff; and representatives from each of the following: Council for Equity and Affirmative Action, Diversity Council, Women’s Studies, Employee Assistance Program, Students (2), Administration (1).

CHAIR: Council members elect Chair.

GRADUATE COUNCIL.

ChARGE: To formulate policies concerning the graduate programs of the University of Wisconsin Oshkosh, and to serve as an advisory body to the Office of Graduate Studies concerning the implementation of these policies. (The specific responsibility of the Graduate Council are outlined in Article II., Section 4., of the Graduate Studies Bylaws.)

COMPOSITION: Faculty -- 12 (with 8 members of the graduate faculty from units offering graduate programs, two elected by the graduate faculty of each college and 4 members, each appointed by the applicable college deans with approval by the Provost and Vice Chancellor); Students -- 2 (graduate students who represent each of the four colleges on an alternating basis); Ex Officio -- 1 (Director of Graduate Services).

CHAIR: A graduate faculty member.

HEALTH AND SAFETY COMMITTEE.

ChARGE: To review health and safety concerns, work to resolve issues or problems informally where possible, and provide recommendations to the administration. (Note: The Committee shall not address any issues which are or may be matters of negotiation with the Wisconsin State Employees Union.)

COMPOSITION: Faculty -- 2; Academic Staff -- 2; Represented Classified Staff -- 3; Nonrepresented Classified Staff -- 2; Students -- 2; Administration -- 1; Ex Officio -- 2 -- Director of Risk Management, Director of Student Health Center.
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Chair: The Director of Risk Management co-chairs with a member chosen by the committee.

Honorary University Degrees Committee.

Charge: To review, consider and recommend candidates for honorary degrees.

Composition: Faculty -- 4 (one from each college, with staggered 3 year terms); Academic Staff -- 1 (3 year term); Student -- 1 (2 year term); Administration -- 1.

Chair: The Chancellor will appoint the chair from among the members of the committee.

Institutional Animal Care and Use Committee.

Charge: To oversee compliance with all conditions and requirements established and imposed under federal or state law, regulations and rules. This committee shall promote the purpose of exercising self-monitoring, providing adequate veterinary care (including a program of occupational health and sound animal husbandry practices), and ensuring appropriate maintenance of facilities for housing animals. (This is a mandated committee; the membership is defined by the U.S. Department of Health and Human Services.)

Composition: The committee shall be comprised of at least five members, appointed by the Provost and Vice Chancellor, to include: a veterinarian with program responsibilities, a scientist experienced in laboratory research, a non-scientist, and an individual who has no other affiliation with the University (except for service on the committee).

Chair: A member selected by the Provost and Vice Chancellor.

Institutional Review Board.

Charge: To safeguard the rights and welfare of human subjects in compliance with current policies issued by the Office of Protection from Research Risks, National Institute of Health. (This is a mandated committee National Institute of Health.)

Composition: Faculty -- 8 as recommended by the Faculty Senate (one from each division of the College of Letters and Science, one from each college and graduate studies); Non-University Representative -- 1; Academic Staff -- 1; Ex Officio and non-voting -- 1 -- Grants Officer.

Chair: Appointed by the Provost and Vice Chancellor to serve a three-year term.

Intercollegiate Athletic Committee.

Charge: To establish policies and make policy recommendations to the administration and governance groups concerning intercollegiate athletics. The Intercollegiate Athletic Committee will also act as an advisor to the Director of Intercollegiate Athletics.

Composition: Faculty -- 3; Academic Staff -- 2; Students -- 2; Ex Officio -- 2 -- Faculty Representatives to the WIAC conference; Ex Officio and non-voting -- 1 -- the Director of Intercollegiate Athletics.

Chair: Chosen by committee.

Lesbian, Gay, Bisexual, Trans, Queer Education & Advocacy Council (LGBTQ)

Charge: To provide visionary leadership, education, and advocacy necessary to cultivate an equitable, inclusive, and supportive climate for the UW Oshkosh community members of all sexual identities. More specifically, the council will meet four community needs: 1) educate the University community members about challenges and issues faced by LGBTQ faculty, staff, and students; 2) affirm the lives, experiences, and presence of LGBTQ faculty, staff, and students at the University; 3) advocate to ensure an environment of safety, equity, and respect for individuals of all sexual and gender identities; and 4) evaluate the UW Oshkosh members’ efforts toward these ends including an assessment of the effectiveness, impact, and outcomes of the LGBTQ Education and Advocacy Council.

Composition: 15 members: Administration -- 1, Faculty Advisor, Rainbow Alliance of HOPE -- 1, Faculty -- 6, Academic Staff -- 3, Classified Staff -- 2, Students -- 2. Student representation will be determined in the beginning of the fall semester; students will serve a one-year term with the possibility of re-appointment. Ideally, the council will have members representing the following groups: (a) all colleges, (b) Dean of Students Office, (c) Counseling Center, (d) Women’s Center, (e) Residence Hall Leadership, (f) Reeve Union Board, (g) Rainbow Alliance for HOPE, (h) Oshkosh Student Association, and (i) Multicultural Education Center.

Chair: Co-chairs chosen by the committee to serve staggered two-year terms.

Libraries and Learning Resources Advisory Council.

Charge: To make recommendations to the Faculty Senate on issues related to learning resources and to provide advice to the Director of Forrest R. Polk Library regarding library collections, services, policies and
Principles Concerning All-University or Joint Committees and Related Governance Structures

new directions. The council will facilitate reciprocal communication between the library, faculty, students, and staff.

Composition: The committee will include 15 members. Those include four (4) of the Library’s department Heads; one (1) Library Director; one (1) Coordinator, Management Information Office; one (1) Representative for Information Technology; four (4) Faculty members, one from each college; one (1) Academic Staff member; one (1) Classified Staff member (academic department rep if possible); and one or two (1-2) members from the Oshkosh Student Association.

Co-chairs: Polk Library Director and a Faculty Representative.

Parking Appeals Board.
Charge: To assess and make decisions regarding the legitimacy and acceptability of all appeals presented in a timely manner by violators.

Composition: Students -- 2; Academic Staff -- 2; Represented Classified Staff -- 2 (one plus one alternate).
(Note: The representation will be expanded to include 1 faculty, if so requested by the Faculty Senate.)
(Note: The Committee shall not address any issues which are or may be matters of negotiation with the Wisconsin State Employees Union.)

Chair: Chosen by committee.

Parking Policy Advisory Committee.
Charge: To review parking policies and make appropriate recommendations to the Director of Parking and/or the Vice Chancellor for Student Affairs.

Composition: Faculty – 2; Academic Staff – 2; Classified Staff – 2 (appointed by Wisconsin State Employees Union Local 579; Students – 2 appointed by Oshkosh Student Association (preferably one of the students will be recommended by United Students in Residence Halls); Ex Officio and non-voting will consist of the Director of Parking and the Parking Manager.

Chair: Elected by committee from the voting membership.

Race and Ethnicity Council

Charge: The Race and Ethnicity Council will provide visionary leadership that is strongly supportive of the University’s Inclusive Excellence Plan. The Council will promote awareness and serve as a platform for issues of race and ethnicity. It will explore educational opportunities to improve the campus climate for African American, Native American, Southeast Asian/Asian American and Hispanic/Latino American students, faculty and staff. The Council will ensure that there are opportunities for educational access and success by culturally diverse, traditionally underrepresented populations. It will also make recommendations to the Inclusive Excellence Board, serve as an advocate and a voice, and facilitate communication with various constituent groups to improve campus racial and ethnic relations.

Composition: Faculty – 4; Academic Staff – 2 [one instructional and one administrative/professional]; Classified Staff – 2; Students – 3; Administration – 2 [appointed by the Chancellor]; Director of the Office of Equity and Affirmative Action; Representative from Multicultural Retention Programs; and a Diversity Recruitment specialist from the Admissions Office. Governance group representatives shall serve no more than two consecutive three-year terms.

Chair: Appointed by the Chancellor for a three-year term.

Radiation Safety Committee.
Charge: To act as a regulatory body with the objective to ensure optimal health standards and to prevent overexposure of personnel to radioactive material by ensuring appropriate supervision of the uses of all radioactive material. The committee is concerned with the qualifications of the users and the uses of radioactive material on a University-wide basis. (This is a mandated committee by the U.S. Nuclear Regulatory Commission. This committee is advisory to the Chancellor.)
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Composition: The committee consists of the Radiation Safety Officer; at least one faculty member from each department which uses radioactive material (as confirmed by the Faculty Senate); the Dean of the College of Letters and Science (or designee); the University's Risk Manager; and the Executive Director of Administrative Services.

Chair: Chosen by committee.

**Reeve Advisory Council.**

Charge: To seek to represent the interests of University students, faculty, staff, and alumni in advising the Director of Reeve Memorial Union on policy matters relating to the operation, use, and improvement of Reeve Memorial Union.

Composition: Faculty – 1; Academic Staff – 1; one alumni appointed by the University of Wisconsin Oshkosh Alumni board; two students appointed by the Oshkosh Student Association; two students appointed by the Multicultural Education Center; and two students appointed by the United Students in Residence halls; two student representatives from RUB – Programming Council; two student representatives from the RMU student staff, two student-at-large positions; and the director of Reeve Memorial Union will serve as the ex-officio members. All appointments are for a term of a maximum of three years, with the exception of one ongoing appointment: The Director to Reeve Memorial Union.

Chair: Officers of the council shall be chair and vice chair (also to be considered chair-elect).

**Rosebush Professor Review Committee.**

Charge: To oversee the nomination and selection process for the John McNaughton Rosebush Professorship.

Composition: Faculty – 7, one each College of Letters and Science division, and one from each professional college; Academic Staff -- 3; Students -- 3.

Chair: Chosen by committee.

**Segregated Fee Committee.**

Charge: To provide advice to the Vice Chancellor for Student Affairs on the disbursement of segregated fees.

Composition: Faculty – 2; Academic Staff – 2 (Due to possible conflict of interest, the following areas should be excluded from A/S representation on this committee: Health Center, Reeve Union, Children’s Learning & Care Center, Athletics, Intramurals.); Students -- 7; Ex Officio and non-voting -- Vice Chancellor for Student Affairs (or designee).

Chair: Student chair chosen by committee.

**Student Conduct Panel (formerly Student Discipline Committee).**

Charge: To serve on panel which provides members for various student disciplinary hearings. The work of the committee, including training and selection to serve on various panels, is coordinated by the Office of the Dean of Students.

Composition: Faculty -- 12; Academic Staff -- 8; Students -- 40.

Chair: The presiding officer of the appeal board is selected by the members of the board. The Dean of Students appoints the presiding office for all other boards to conduct hearings relating to suspensions or academic dishonesty.

**Student Scholarly and Creative Activities Board**

Charge: To champion and support a wide range of student research and creative activities and facilitate student collaboration with faculty and instructional academic staff in scholarly and creative activities. 2) To exercise program oversight and manage the student/faculty collaborative research grant programs. A detailed description of the board’s duties may be found in the description of the Oshkosh Student Scholarly and Creative Activities Program.

Composition: 12; Faculty – 7 (one faculty member from each professional college and one from each division of College of Letters and Science); 1 Gradate Council Representative, 1 At-Large Member (The Board Chair), The Oshkosh Scholar faculty director, 1 OSA representative, and an ex-officio representative from the Office of Grants & Faculty Development.
Chair: At-large member appointed by the Provost.

Terms: Staggered three-year terms to start in the beginning of the summer session. From the first group 1/3 will serve one-year terms, 1/3 two-year terms and 1/3 three-year terms. Members are limited to two consecutive terms. Individuals may serve as Chair for two consecutive terms even if they have already served two consecutive terms as a representative on the Board. The student representative, Graduate Council representative and the ex-officio members have no minimum or maximum term.
Limited Appointments and Other Appointments

GOV 6.3. Limited Appointments and Other Appointments. Provost’s Admin Staff: Approved 1-17-12
Faculty Senate: Approved 2-7-12
Senate of Academic Staff: Approved 2-2-12
Chancellor: Approved 2-15-12

UWS 15.01 Limited appointments.

(1) A limited appointment under s. 36.17, Stats., is a special appointment to a designated administration position. A person in this type of appointment serves at the pleasure of the authorized official who made the appointment. A member of the academic staff granted a limited appointment shall not lose existing rights to an academic staff appointment by accepting the limited appointment, and a member of the faculty granted a limited appointment shall not lose existing rights to a faculty appointment by accepting the limited appointment. Termination of a limited appointment is not a dismissal under ch. UWS 4 or 11 and is not otherwise appealable. Wherever possible 3 months’ notice of termination should be given if the appointee does not hold simultaneously another university appointment.

(2) Limited appointments apply to the following positions: president, senior vice president, provost, vice president, associate vice president, chancellor, vice chancellor, associate chancellor, assistant to the chancellor, vice chancellor, associate vice chancellor, center system dean, secretary of the board, associate secretary of the board, assistant secretary of the board, trust officer and assistant trust officer, and such other administrative positions as the board, the president, or the chancellor determines at the time of the appointment.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75; am. (1), Register, June, 1977, No. 258, eff. 7-1-77.

UWS 2.02 Limited Appointments (Revised 5/1/06)

Regent Resolution #9091 (adopted November 11, 2005) directed that from and after November 11, 2005, notwithstanding any institutional policies to the contrary, limited appointments shall be permitted only for those positions enumerated in s. 36.17 (2), Wis. Stats., unless an institution demonstrates circumstances justifying the creation of additional limited appointments. UWS 3.02 Limited Appointments (Revised 5/1/06)

Regent Resolution #9091 (adopted November 11, 2005) directs limited appointees entering UW System employment from other institutions and either (s) holding a tenured faculty position elsewhere or (b) having been recruited to a position with a requirement or expectation of tenurability, and who have been recommended for tenure by the appropriate UW department may be granted a concurrent tenure appointment as part of the employment contract process.

Regent Resolution #9091 (adopted November 11, 2005) further directs limited appointees entering UW System from other institutions who do not hold tenure elsewhere and were not recruited with a tenurability requirement shall not be granted concurrent appointments; however, at the discretion of the appointing authority, such employees may be granted not more than six months notice of termination as permitted under s. UWS 15.01, Wisconsin Administrative Code, at the same salary, and with possible reassignment to other duties during this period.

Should a limited appointee with a faculty or academic staff concurrent appointment be terminated from the limited position, the appointee has no minimum notice rights. However, the appointee has the right to assume the concurrent appointment without a separation in service.

Regent Resolution #9091 (adopted November 11, 2005) directs that the status or length of the term of a concurrent appointment held by a limited appointee may not be altered while the individual is serving in the limited appointment. For clarification purposes, the intent of the regent resolution is to not improve the status of or increase the term of the concurrent appointment.

UWS 4.02 (5) Board of Regent Policies (Revised 5/12/06)

Regent Resolution #9058 (adopted September 9, 2005) directed that all UW institutions shall be required to seek approval from the UW System President for all settlements involving the termination of a limited appointment. Such settlements shall be reported to the Board of Regents.

Regent Resolution #9058 (adopted September 9, 2005) directed when a ranked faculty member leaves an administrative limited appointment to return to his/her faculty position, the faculty member
Limited Appointments and Other Appointments

will be compensated at a salary rate consistent with other faculty members of the same rank in the department while considering years of service, previous salary as a faculty member, length of time served as an administrator and other factors normally considered when setting faculty salaries. UWS 4.04 (5) Faculty Member in an Administrative Position and Return to Faculty position.

Regent Resolution #9058 (adopted September 9, 2005) further directs that limited appointees returning to the faculty with transition time for teaching preparation must develop the equivalent of a sabbatical proposal clearly outlining the work to be accomplished during the transition time. At the conclusion of the transition period, the faculty member must prepare a report of work accomplished during the transition period. The transition period should be no longer than one academic semester unless the person has served in a limited position for five or more years, whereby two academic semesters may be allowed. UW System approval of the transition plan is not required. However, the transition plan and subsequent report of work accomplished should be maintained in the institution's files and be available if there should be an audit of compliance with this policy.

CHANCELLORS (UW SYSTEM)

The Chancellor is the chief executive officer and is appointed by the Board of Regents. An appointment as Chancellor is a limited appointment which may include either an academic staff or faculty appointment.

LIMITED APPOINTMENTS (University of Wisconsin Oshkosh)

1.01 Definition.

A limited appointment is a special appointment to a designated administrative position. A person in this type of appointment serves at the pleasure of the Chancellor based on recommendations of the limited appointee's supervisor(s).

1.02 Coverage.

Limited appointments apply to the following positions at University of Wisconsin Oshkosh: Chancellor, Provost and Vice Chancellor, Assistant to the Chancellor, Vice Chancellor, Associate Vice Chancellor, Assistant Vice Chancellor, Assistant Chancellor, Dean, Associate Dean, Assistant Dean, all other positions that require a faculty appointment, and those academic staff titles stipulated in the 1993 Memorandum of Agreement with the Office of State Employment Relations (OSER) found in UWS UPG #7, Attachment 2, section II.A.I.

1.03 Concurrent Appointments.

All limited appointees, as defined in UWS 15, UWS UPG #2 and #7, shall not lose existing rights to either a concurrent academic staff appointment or a faculty appointment. A current member of the academic staff who accepts a limited appointment at University of Wisconsin Oshkosh does not lose existing rights under a, probationary, or fixed-term academic staff appointment.

For individuals employed by University of Wisconsin Oshkosh on limited appointments who must be granted a concurrent appointment according to Regent Resolution #9091, the appointment is one of the following:

A. Faculty - A concurrent appointment as a faculty member will need to be confirmed by members of a department, the chairperson, the dean, the Provost and Vice Chancellor, and Chancellor. Concurrent appointments as faculty are generally considered for Vice Chancellors, deans, associate deans and assistant deans.

B. Academic Staff - A concurrent appointment as an academic staff member will need to be confirmed by supervisors, the Provost and Vice Chancellor, and Chancellor. For individuals employed by the University of Wisconsin Oshkosh on limited appointments who cannot be granted a concurrent appointment according to Regent Resolution #9191, the appointment may be granted not more than six months notice of termination as permitted under s. UWS 15.01. Wisconsin Administrative Code, at the same salary, and with possible reassignment to other duties during this period.
Limited Appointments and Other Appointments

1.04 Recruitment and Appointment.

After a position designated as a limited appointment has been allocated to a unit or office, the description will be prepared by the appropriate administrative officer and filed with the Human Resources Office to obtain approvals to advertise. Advertising must be consistent with the unit's affirmative action recruitment plan and must adhere to search and screen procedures as appropriate.

Consistent with University of Wisconsin Oshkosh search and screen procedures, the administrative officer wishing to employ the limited appointee shall be responsible for:

A. Screening candidates and making a final recommendation to the Vice Chancellor of the division.

B. Preparing the proper appointment forms (available from the Human Resources Office).

C. Collecting three letters of recommendation; vita; and official copies of all transcripts.

D. Recommending a base salary.

E. Filing a description of responsibilities.

The Human Resources Office shall be responsible for preparing and issuing the contract and making the final determination of salary.

1.05 Evaluation.

Each limited appointee shall be evaluated annually by the immediate supervisor and the evaluation filed in the Human Resources Office.

1.06 Nonrenewal.

(1) Limited appointees will continue to serve in their positions until removed by the Chancellor. Such removal will normally be made on the recommendation of the appropriate supervisor. A minimum of three months notice of removal shall be given unless extenuating circumstances dictate a lesser time.

(2) Contractual commitments made by virtue of holding concurrent appointments shall be honored by University of Wisconsin Oshkosh. In the letter terminating the limited appointment, the Chancellor shall inform the individual of the initial assignment in the concurrent position.

(3) Salary rates for limited appointment positions are generally separate and distinct from the rate of any pre-existing or concurrent position, and reversion to such a position does not require continuance of the limited appointment salary rate. The Chancellor shall set the salary rate in cases where an individual leaves a limited appointment, but does not leave the University.

(4) Vacation and sick leave provisions for limited appointments are those that apply to academic staff members.

(5) UWS 8 will be used as a guideline in regulating extensive, recurring, or continuing activities outside the appointee's professional responsibilities for all limited appointments not covered by rules of the State Ethics Board.

1.07 Other Rules.

Limited appointments are also subject to UWS 15 and the documents issued by Central Administration titled "Limited Appointments - other than President and Chancellor" (Unclassified Personnel Guideline #3) and "The Office of the Chancellor" (Guideline #2).
UWS 16.01 Other Appointments.

The board may make or authorize appointments of specified terms for student assistants and employees in training, such as residents, interns, post-doctoral fellows or trainees or associates. Appointments made pursuant to this section shall not be subject to the provisions of ss. 36.13 and 36.15, Stats., and c's. UWS 1-15. Policies and procedures for such appointments shall be determined as appropriate by the president or the Chancellor of each institution after consultation with appropriate faculty and with appropriate student assistants and employees in training.

History: Cr. Register, October, 1975, No. 238, eff. 11-1-75.
These procedures apply to all search and screen committees for limited and academic staff appoint-
ments at the University of Wisconsin Oshkosh.

PART ONE. Types of Recruitments.

In an effort to provide a balance between open recruitment and development/advancement of current
employees from within the institution as part of leadership development and succession planning, the
following types of recruitments can be requested:

1.1 National/International, regional or local recruitments: Entry level positions are searched
broadly, either nationally, internationally or regionally, depending on the existence of di-
verse pools of potential applicants. The request for this type of recruitment is indicated on
the Recruitment Plan submitted with the Position Announcement, and approved by the Di-
rector of Equity and Affirmative Action, who takes into consideration goals in the current
Affirmative Action Plan.

1.2 Internal recruitments: For beyond entry level positions, in situations where there are ade-
quate potential internal candidates, both permanent and temporary, who meet the qualifi-
cations and can lead to a potential diverse pool of applicants. The request for an internal
recruitment is indicated on the Recruitment Plan submitted along with the Position A n-
nouncement, and approved by the Director of Equity and Affirmative Action, who takes in-
to consideration goals in the current Affirmative Action Plan.

1.3 When a person is hired through a waiver of open recruitment approved by the Director of
Equity and Affirmative Action, there must be a recruitment when the waiver concludes.

1.4 No Recruitment:

1.4.1 For situations where, through career progression as outlined in ACS 9.0, a title change
can be requested to move the person into a higher academic staff position, and that per-
son meets the qualifications for the position/title change. The person must have been
hired into a permanent position via a recruitment. It is assumed the hiring authority wants
to hire into the position through career progression.

1.4.2 The hiring authority wants to hire into the position through career progression but the
“working title” of the person does not match the “formal title” needed for career progres-
sion. In this case the hiring authority provides a current position description of the person
and requests a title change through the normal title change process as outlined in ACS
10.0. The review of the title change request will include determining that the person is
performing the duties of the formal title. The person must have been hired into a perm a-
nent position via a recruitment.

1.4.3 For situations as outlined in FAC 3.9, Changes of Status, an academic staff can be moved
to faculty status. Also see ASC 5.3. Conversions Between Academic Staff and Faculty.

1.4.4 In addition, an academic staff employee can be transferred within an operational area or
to a different operational area according to ACS 5.0. In this case the person must also
meet the requirements of the position. This request is approved by the Chancellor or De-
signe.

PART TWO. The Formation of Committees.

2.1 The appropriate administrator is responsible for forming and charging the search and
screen committee.

2.2 Committees shall be comprised of individuals willing and able to explore all available ave-
nues for recruitment. They shall include representation of women and members of minority
groups and shall act in a manner consistent with the University's affirmative action plan,
its commitment to equal employment opportunity, and the goal of achieving and sustain-
ing racial and ethnic diversity within all employment categories.

2.3 The administrator forming the committee shall determine the committee's size based on
the nature of the position, the expected number of applicants, and the respective interests
of the governance groups. As a general rule, search and screen committees should have
no fewer than six and no more than thirteen members. If the recruitment is for a university
level administrator above the level of dean, the committee shall include at least two repre-
sentatives appointed by the Faculty Senate, two representatives appointed by the Senate
of Academic Staff, one representative appointed by the Oshkosh Student Association,
and one representative appointed by the Director of Equity and Affirmative Action. If it is
necessary to modify any of the representation levels set forth below, the convener must
first consult with the executive committee of the concerned governance group or groups
(i.e., the Faculty Senate, the Senate of Academic Staff, or the Oshkosh Student Associa-
tion).

2.3.1 Faculty. Consistent with Article II, Section 5 of the Faculty Constitution: "The Faculty Sen-
ate shall select faculty representatives for search and screen committees for System and
university level administrators above the level of dean." Further, as stated in Article IX,
Section 4 of the Faculty Constitution: "Search and screen committees for deans and
equivalent administrators of faculty units shall be composed of at least 60 percent faculty
members elected in accordance with the faculty unit bylaws. A search and screen commit-
tee for Provost and Vice Chancellor or for Assistant or Associate Vice Chancellors in are-
as of primary faculty responsibility shall be composed of at least 60 percent faculty repre-
sentation, as appointed by the Faculty Senate.

2.3.2 Academic Staff. The Senate of Academic Staff shall select two or more representatives
for all search and screen committees. For those positions with significant responsibilities
for non-academic matters (i.e., those not related to matters of primary faculty responsibil-
ity), the convener shall ask the Senate of Academic Staff to appoint a majority of the
members of those committees.

2.3.3 Students. At least 20 percent of the members of committees for positions involving re-
sponsibility for developing, formulating, reviewing, or implementing policies and proce-
dures concerning student life, student services and related student interests shall be ap-
pointed by the Oshkosh Student Association. (The Oshkosh Student Association shall re-
fer appointments for searches that relate to areas specifically delegated to the Reeve Un-
ion Board or United Students in Residence Halls to those respective organizations.)

2.3.4 Affirmative Action. The representative of the Council for Equity and Affirmative Action
shall be appointed by the Director of Equity and Affirmative Action after consultation with
the Chair of the Council of Equity and Affirmative Action.

PART THREE. Committee Organization.

3.1 The convener will prepare a draft position description to be reviewed by the committee
prior to the publication.

3.2 Prior to appointing the committee chair, the convener may consult with the Director of Eq-
uity and Affirmative Action and (as appropriate to the position) the governance group
president(s).

3.3 Unless otherwise directed by the convener, only the chair (or the chair's designee) is au-
thorized to make statements concerning the committee and its activities. All questions
centering the committee shall be addressed to the chair (who may consult with the con-
vener).

3.4 The vice-chair shall be elected by the committee to exercise the responsibilities of the
chair in the chair's absence.

3.5 The convener may provide a written charge to the committee.
Policies Relating to Search and Screen Committees for Limited Appointments and Selected Academic Staff Positions

3.6 The convener shall make arrangements to cover: (1) the costs associated with committee business; (2) any necessary clerical support for the committee; and (3) the secure storage of committee files and materials.

PART FOUR. The Work of the Committee.

4.1 All committee business shall be in meetings called by the chair with proper notice as required under the Wisconsin Open Meetings law. The committee shall strictly follow the requirements of the open meetings law and the stated exemptions (and procedural requirements) for meeting in closed session.

4.2 Sixty percent of the committee will constitute a quorum. Committee members may not vote by proxy or by absentee ballot.

4.3 Confidentiality. Any and all inquiries relating to the committee shall be referred to the chair.

4.3.1 All committee deliberations and all committee materials shall be considered and kept confidential. All requests for access to, or disclosure of, committee records shall be considered in light of the provisions of the public records law, and the statutory exemptions (and applicable procedures) for denying access. The committee may seek an administrative interpretation from the Chancellor prior to responding to any requests for records or information under the Wisconsin public records law.

4.3.2 No committee minutes from closed committee meetings, and no committee records relating to the review of credentials and no other supporting materials shall be copied for circulation among committee members. These confidential documents shall only be available to the committee in an identified location. The personal notes from committee members shall remain filed with the other confidential materials.

4.3.3 Committee minutes, documents, and recommendations shall not be subject to review by any governance group.

4.3.4 Unless specifically provided for under these procedures, no business of the committee should be discussed outside of committee meetings with non-committee members.

4.4 Affirmative Action. The committee member who serves as the Council of Equity and Affirmative Action representative shall consult with the Director of Equity and Affirmative Action prior to the first committee meeting to receive information concerning appropriate affirmative action policies and procedures.

4.4.1 The Affirmative Action representative shall provide the committee with assistance and guidance in meeting the requirements of the University’s Affirmative Action Plan and ensuring that all committee activities conform to all processes and procedures for providing Affirmative Action and Equal Employment Opportunity.

4.4.2 The chair may also consult with the Director of Equity and Affirmative Action, as necessary, during the course of committee deliberations.

4.5 No committee member may apply for, or be considered for, the position under review by the committee. (A committee member must resign from the committee before being considered.)

4.6 Committees are expected to operate informally. By two-thirds vote, the committee may adopt other procedures not in conflict with these requirements. If parliamentary authority is required for matters not addressed here, the committee shall use the current edition of Sturgis’ Standard Code of Parliamentary Procedure.

4.7 Recruitment Plan. Prior to the publication of the position announcement, the committee (in consultation with the convener and the Director of Equity and Affirmative Action) shall prepare a recruitment plan. When developing the plan, the committee shall consider the likely sources of applications and the media sources most likely to encourage the most diverse pool of qualified applicants. The plan shall be consistent with the University’s Affirmative Action Plan and any special hiring goals.
Policies Relating to Search and Screen Committees for Limited Appointments and Selected Academic Staff Positions

4.7.1 The committee shall comply with the requirements of section 19.36(7) of the Wisconsin Statutes, relating to the identities of applicants for employment at the University. The first contact with applicants or nominees should include a form noting whether or not they wish their identity revealed.

4.7.2 Before the committee proceeds with recruitment, the Director of Equity and Affirmative Action and the convener must approve the position announcement and the recruitment plan.

4.8 Receipt of Applications/Nominations. The committee shall provide acknowledgment of all applications or nominations as soon as practicable. (The committee will retain copies of all correspondence.) Separate files (identified by number, name, and date of receipt) should be created for each person. All files shall be confidential and stored in a secure location with review limited to committee members.

4.9 Initial Screening. The initial screening of files to determine whether applicants are qualified for further consideration may be done by a subcommittee. All subcommittee recommendations shall be reviewed and ratified by the full committee. Unqualified candidates can be notified at the conclusion of this stage. The subcommittee or chair may contact individuals to ascertain continued interest in the position and to request any additional information. In advance of each meeting, the chair shall prepare a list of the files to be screened. Whenever possible, the committee shall be given at least two working days to review the files scheduled for review.

4.9.1 During the meeting, each file shall be presented to the committee. The committee may request additional information from any candidate or from all candidates.

4.9.2 The committee may reconsider candidates at any time in the process.

4.9.3 In exceptional cases, where the deadline prevents consideration of a candidate late in applying, the committee may seek permission from the convener to re-open the search (through re-advertisement).

4.9.4 If the recruitment has an "open" timeline with an initial screening date instead of a fixed deadline, in advance of the initial screening date the committee will develop a process to review applications received after the screening date to ensure equal opportunity for all candidates.

4.10 Semi-Finalists. The chair shall assign committee members the responsibility of presenting the files of the candidates. All members of the committee shall be afforded an opportunity to offer comments concerning each candidate. Telephone interviews may be held at this stage. Notes and records of all interviews and calls should be included in each candidate's file.

4.10.1 After the committee has evaluated each candidate, the committee will tier the candidates based on the required and preferred qualifications. On the basis of these tierings and other relevant factors (such as Affirmative Action considerations), the committee shall then establish a list of semi-finalists.

4.10.2 The chair may seek any additional materials necessary to complete the files of all semi-finalists. The chair may seek letters of recommendation from references (whether supplied by the candidate or as identified from other sources).

4.11 Finalists. The committee shall develop an acceptable procedure to establish the list of finalists. The unranked list of finalists shall be sent to the convener in alphabetical order. The committee may forward the tally information as an addendum. If the tally information is not supplied, the convener may request it from the committee.

PART FIVE. Interviews.

The convener shall review the files of finalists recommended by the committee. The convener shall consult with the committee chair concerning the results of the review preceding the establishment of an interview schedule.

5.1 With good cause (such as Affirmative Action), and by providing a statement of explanation, the convener may ask the committee to review a request to interview one or more
applicants who were not included on the list of finalists forwarded by the committee. In formulating its recommendation, the committee shall give considerable weight to the reasons identified by the convener at the time the request is presented.

5.2 Prior to setting up interviews of the finalists, the convener (or the Affirmative Action representative on the committee) shall complete the Interview and Hiring form and consult with the Director of Equity and Affirmative Action to secure approval to interview. At this time, the Director of Equity and Affirmative Action may also review the files of the applicants no longer under consideration by the committee. At the conclusion of this review, and with the Director of Equity and Affirmative Action's permission, these applicant files can be closed by sending an appropriate letter to the applicants or nominees.

5.3 Once authorization to interview is received, the convener, in consultation with the committee chair, shall establish the date(s) for the interview, the location, and list of persons who will participate in the interviews. Interviews should be conducted in an informal setting that encourages thorough and thoughtful discussions.

5.4 Appointments. The convener may meet with the committee prior to making an offer for appointment to the position. If none of those interviewed are selected for appointment, the convener has the option of discharging the committee and initiating a new search, or charging the committee to re-open the search with a new deadline. After an individual has been appointed, the convener may meet with the committee to discuss the work of the committee.

5.5 Discharge. After all committee affairs have been complete, the convener shall discharge the committee. At this time, the chair should close any files that remain open with appropriate correspondence. The chair shall collect, seal and store all committee materials (e.g., applicant files, committee minutes, correspondence, evaluation and voting records, and any other miscellaneous records). Search and screen files will be retained for at least seven years.

PART SIX. Addendum -- Complaints.

Subject to the confidentiality requirements stated above, all complaints or expressions of concern relating to these procedures shall be sent in writing addressed to the convener (with copies to the committee chair and Chancellor).

6.1 The convener shall respond in writing.

6.2 If the matter is not satisfactorily resolved at this level, the Chancellor (or designate) may conduct an investigation into the matter and prepare findings.

6.3 The Chancellor's decision is final and not subject to further review.

History: This policy was originally approved on March 31, 1989. Revisions to the policy were approved by Chancellor Kerrigan on May 13, 1992, and Chancellor Wells on January 29, 2010.
GOV 6.5. Faculty Involvement in Administrator Evaluation.

Adopted: November 15, 1990
Revisions approved: May 29, 2009

Statement of Policy.

All administrators at the University of Wisconsin Oshkosh shall be subject to periodic performance evaluations. All assessments of administrative job performance shall take into account:

A. the divergent roles and responsibilities of different administrators;
B. their respective contributions to the University's mission and goals;
C. their activities in the context of the present and emerging needs of the University; and
D. their attention to, and support of, affirmative action.

Procedures.

A. Annual Review - The Chancellor and the Provost and Vice Chancellor shall conduct an annual performance review of all administrators who directly report to them; they shall also require annual performance reviews for all other administrators.

B. Administrators Involved with Matters of Primary Faculty Responsibility - As provided in Article II, Section 6 of the Faculty Constitution: "The Faculty Senate will share in the development of university policy and procedures for the evaluation of administrators concerned with matters of primary faculty responsibility." The following procedures apply to the evaluations of such administrators.

1. All evaluations shall be based upon the role and the responsibility of the administrator (including any other specific expectations), as identified either at the time of appointment or after appointment.
2. The evaluation process may vary from year to year and in response to such factors as:
   a. the nature of the position;
   b. changes in role or responsibility;
   c. changes in specific expectations;
   d. the length of service;
   e. current or emerging issues; or
   f. any other relevant subjects, issues, or concerns.

C. Faculty Input for Assessment - Faculty shall provide direct input into the assessment process for the Provost and Vice Chancellor, Associate/Assistant Vice Chancellors, Deans, the Assistant Vice Chancellor of Information Technology, and Associate/Assistant Deans and equivalents.

1. Provost and Vice Chancellor - Following the appointment of the Provost and Vice Chancellor, the Chancellor and the Provost and Vice Chancellor shall meet with the Administrators Evaluation Committee to discuss the role and responsibility of the Provost and Vice Chancellor and to provide an opportunity for faculty input and reaction. The Administrators Evaluation Committee shall consist of no more than seven members, appointed by the Faculty Senate with representation from each college and division within the College of Letters and Science when possible. Additional provisions:
   a. Subsequent meetings shall be held at least once every three years and may address such issues as: faculty expectations, current or emerging issues, actions taken in response to the prior faculty input, and any other relevant subjects, issues, or concerns.
   b. Following the initial meeting, and in advance of any subsequent meeting, the Chancellor, in consultation with the Provost and Vice Chancellor and the Administrators Evaluation Committee described above, shall develop a suitable method for the solicitation of faculty input into the assessment of the performance of the Provost and Vice Chancellor. All faculty input data shall be kept confidential. The data shall be consid-
Faculty Involvement in Administrator Evaluation

1. Subsequent meetings shall be held at least once every three years and may address such issues as: faculty expectations, current or emerging issues, actions taken in response to the prior faculty input, and any other relevant subjects, issues, or concerns. The subsequent meetings may, as determined by the Provost and Vice Chancellor, involve joint or separate meetings between the committee and the Provost and Vice Chancellor and the Dean.

b. Following the initial meeting, and in advance of any subsequent meeting, the Provost and Vice Chancellor, in consultation with the Dean and the faculty committee described above, shall develop a suitable method for the solicitation of faculty input into the assessment of the performance of the Dean. All data shall be kept confidential. The data shall be considered and discussed during the next formal assessment. Faculty input in such assessment shall be provided at least once every three years.

4. Associate/Assistant Deans - As soon as possible following the appointment of an Associate or Assistant Dean, the Dean shall meet with a faculty committee, elected by the members of the college or division of the college, as appropriate, to discuss the role and responsibility of the Associate/Assistant Dean and to provide for faculty input and reaction. Additional provisions:

a. Subsequent meetings shall be held at least once every three years and may address such issues as: faculty expectations, current or emerging issues, actions taken in response to the prior faculty input, and any other relevant subjects, issues, or concerns. The subsequent meetings may, as determined by the Dean, involve joint or separate meetings between the committee and the Dean and the Associate/Assistant Dean.

b. Following the initial meeting, and in advance of any subsequent meeting, the Dean, in consultation with the Associate/Assistant Dean and the faculty committee described above, shall develop a suitable method for the solicitation of faculty input into the assessment of the performance of the Associate/Assistant Dean. All faculty input data shall be kept confidential. The data shall be considered and discussed during the next formal assessment. Faculty input in such assessment shall be provided at least once every three years.

D. Periodic Review of Policy

1. This statement of policy and procedures shall be periodically reviewed by the Chancellor and the Faculty Senate. Any proposed modifications or changes to this policy shall be subject to consultation between the Chancellor and the Faculty Senate.

2. The Faculty Senate Executive Committee shall inform the Chancellor of any concerns relating to the interpretation, application or administration of this policy.

(HISTORY: An earlier version of this statement of policy and procedures pertaining to administrative evaluation was reviewed and considered by the Faculty Senate on November 6, 1990. After approval of an amendment from the floor, the Faculty Senate unanimously approved a version that was transmitted to Chancellor Kerrigan on November 13, 1990. After review of the senate-approved document and conferral with Dr. Zillur R. Khan, President of the Faculty Senate, Chancellor Kerrigan approved this slightly revised version on November 15, 1990. [The Chancellor's approved version made several editorial changes that made the procedures for Deans and Assistant/Associate Deans parallel to the procedures that apply to the Provost and Vice Chancellor.] This statement of policy and procedures is effective as of November 15, 1990.)

Approved by Faculty Senate
September 28, 1993
Approved by Chancellor John E. Kerrigan
October 11, 1993

The following four-step process for addressing irregularities in the conduct of department affairs is designed to have problems rectified at the lowest possible level. These procedures are in accordance with state law, regent and system rules, and university personnel policies and procedures. Irregularities arising from the alleged failure to observe the rules set forth in the Faculty Constitution and related documents, including the Faculty Personnel Rules, should be brought first to the Executive Committee of the Faculty Senate for resolution.

1. After consulting with the Provost and Vice Chancellor, the Dean and the Faculty Senate Executive Committee, the Chancellor may send written notice to the department chair (with copies to the members of the department). The Chancellor shall identify the irregularities that are of concern and the period of time in which the department should rectify these conditions. By the end of the period of time that the Chancellor identified, the department chair should prepare a written report to the Dean that describes various actions undertaken by the department to rectify the irregularities that were identified by the Chancellor. The Dean shall review this material and forward it to the Provost and Vice Chancellor along with the dean's recommendation. The Provost and Vice Chancellor, in turn, shall review this material and forward it to the Chancellor along with a recommendation.

2. Based on the review of the department's materials by the Dean, Provost and Vice Chancellor, and Chancellor, if the Chancellor concludes that the irregularities have not been rectified by the department in the identified period of time, the Chancellor shall then confer with the following individuals and offices: Provost and Vice Chancellor, Dean, and the faculty senate executive committee. At the end of that consultation, the Chancellor may send written notice to the Dean with copies to the department chairperson and members of the department that identifies the irregularities that are still of concern and the period of time in which the college should rectify these concerns. By the end of the identified period of time, the Dean should report to the Provost and Vice Chancellor regarding the actions which have been taken to rectify these irregularities.

3. If the irregularities are not rectified in the identified period of time and after consulting with the Provost and Vice Chancellor, the Dean, and the faculty senate executive committee, the Chancellor may send written notice to the Dean, with a copy to the department chairperson and department members to provide final notice that the Chancellor will act to address the irregularities if the matters are not promptly rectified to the satisfaction of the Chancellor.

4. If the irregularities still have not been rectified, and after consulting with the Provost and Vice Chancellor, the Dean and the faculty senate executive committee, the Chancellor may send written notice to the department chair and department members to indicate the actions the Chancellor is taking. At this time, the Chancellor shall identify in writing the irregularities which caused the Chancellor to act and any specific conditions, criteria, or other requirements which need to be met by the department in order for it to be restored to normal status.
The University of Wisconsin Oshkosh complies with the Wisconsin Fair Employment Act (s. 111.3.1 et

stated above will be exempt from a criminal background check upon hire.

tants or volunteers in a position that does not warrant a criminal background check per the guidelines

a position of trust. Temporary or limited term employees, student employees, interns, graduate assis-

 tors, or where the majority of their duties are in residence halls. The Office of Human

resources, in consultation with appropriate parties, will determine on a case-by-case basis if a posi-

view under this policy. Exceptions would include recurring reviews for those positions required under

basis or as required by the Public Records Act. A breach of confidentiality, or the inappropriate

use of criminal background check information, may constitute a work rule violation and may be

grounds for disciplinary action.

Other types of background checks and/or evaluations may be utilized due to the nature of particular

positions, (e.g. day care workers and other caregiver employees, law enforcement and security work-

ers, positions with access to funds or with fiduciary responsibilities, positions with access to hazardous

agents or materials). Additionally, the nature of certain positions could involve the need to conduct

non-criminal background checks such as drug analyses, psychological evaluations, and credit checks.

The University may choose to conduct background checks for all vacancies in all types of employment

without exception, in accordance with this policy. Nothing in this policy precludes the University from

conducting position specific checks (criminal and non-criminal) on an as-needed basis.

Normally, UW Oshkosh employees in their current positions will not be subject to criminal records re-

views under this policy. Exceptions would include recurring reviews for those positions required under

state and federal laws, (e.g. day care workers and other caregiver employees, etc.).

This policy also applies to temporary or limited term employees, student employees, interns, graduate

assistants and volunteers if the position warrants a criminal background check according to state or

federal laws, (e.g. day care workers and other caregiver employees, law enforcement and security

workers, positions with access to funds or with fiduciary responsibilities, positions with access to haz-

ardous agents or materials), if the majority of duties are in residence halls, or if the position is deemed

a position of trust. Temporary or limited term employees, student employees, interns, graduate assis-

ants or volunteers in a position that does not warrant a criminal background check per the guidelines

stated above will be exempt from a criminal background check upon hire.

The University of Wisconsin Oshkosh complies with the Wisconsin Fair Employment Act (s. 111.3.1 et
University of Wisconsin Oshkosh Criminal Background Check Policy

seq., Wis. Stats.), the Public Employee Safety and Health requirements under s. 101.11 Wis. Stats.,
the Drug-Free Workplace Act (41 U.S.C. Sec. 701 et. Seq.), and other state, federal and constitutional
requirements for the protection of applicants, employees, students and all other University and com-
munity users of UW Oshkosh. This policy ensures that all prospective employees are treated consist-
ently and equitably.

Procedures for Conducting Criminal Background Checks

All vacancy announcements (including advertisements) will either direct individuals to the human re-
sources web site to view the position announcement or contain the following statement: “Employment
will require a criminal background check.” This language will appear on all position announcements on
the human resources web site. The following language also may be added to vacancy announce-
ments and ads: “A pending criminal charge or conviction will not necessarily disqualify an applicant. In
compliance with the Wisconsin Fair Employment Act, the University does not discriminate on the basis
of arrest or conviction record.”

Prior to being offered a position, the finalist for a position will be required to provide accurate and suf-
ficient information necessary to conduct a background check. This includes authorization to conduct
the background check. Both the employer’s notice to candidates and the applicant’s disclosure and
authorization must be documents separate from the job application form. An applicant who fails to
complete the disclosure form in a timely manner will not be considered further for the position. An ap-
plicant’s failure to accurately and completely disclose his or her criminal conviction history may be
 grounds for removal from further consideration for a position. Please see the UW Oshkosh Criminal
Background Check Procedures document regarding important procedures to follow in the event of an
address discrepancy.

The hiring department can make an offer of employment with the understanding that final confirmation
of the appointment is contingent upon the successful outcome of the criminal record review. The can-
didate may not begin employment until the background check has been completed, except in certain
circumstances approved by the Vice Chancellor of the Division and the Human Resources Director or
designee.

All criminal record reviews will be made in conjunction with the Wisconsin Department of Justice and
jurisdictions in other states or countries, and will include the review of records in any and all jurisdic-
tions deemed prudent. For jurisdictions located outside the state of Wisconsin, an outside vendor will
perform the criminal background checks on prospective employees. For prospective employees who
have resided only in Wisconsin, the Human Resources Office will perform the criminal background
checks.

The standard criminal background checks conducted will include:

- Social Security Number Trace – Authenticates applicant’s information and generates a list of
  addresses the applicant has lived at for the last seven years
- Criminal Felony/Misdemeanor by county of residence
- Sex Offender Registry

UW Oshkosh will comply with the Fair Credit Reporting Act for outside criminal background checks.
The following additional responsibilities will be completed by the Human Resources Office in compliance
with the Federal Fair Credit Reporting Act:

- The completed disclosure form and the results of the background check (whether done by the
  Human Resources Office or an outside vendor) will be reviewed by the Human Resources Of-
  fice for further analysis.

- Before an applicant is not offered a position based on information in a criminal history report,
  he/she is provided with a copy of the report and an opportunity to dispute or explain within
  three business days information in the report that the applicant believes is inaccurate or in-
  complete.

Costs

The cost of criminal background checks will be paid by the hiring department.
Criminal Records Review Consultation

Regardless of whether the criminal background check is completed by the Human Resources Office or an outside vendor, in reviewing the results of a criminal records review on an individual applicant the Human Resources Office will review each individual on a case-by-case basis and consider the following factors in order to determine whether there is the potential for substantial relationship between the conviction and the employment position and whether the individual may be further considered for the position:

1. **The Offense**: the nature, severity and intentionality of the offense(s) including but not limited to:
   a) the statutory elements of the offense (rather than the individual’s account of the facts of the offense(s);
   b) the individual’s age at time of offense(s);
   c) number and type of offenses (felony, misdemeanor, traffic, other);
   d) time elapsed since the last offense;
   e) the individual’s probation or parole status;
   f) whether the circumstances arose out of an employment situation; and
   g) whether there is a pattern of offenses.

2. **The Position**: the duties, responsibilities and circumstances of the position applied for, including but not limited to:
   a) the nature and scope of the position, including key access to residential facilities, key access to other facilities, access to cash and access to vulnerable populations, including minor children;
   b) the nature and scope of the position’s student, public or other interpersonal contact;
   c) the extent to which the position’s autonomy and discretionary authority;
   d) the amount and type of supervision received in the position or provided to subordinate staff;
   e) The sensitive nature of the data or records maintained or to which the position has access;
   f) The opportunity presented for the commission of additional offenses; and
   g) the extent to which acceptable job performance requires the trust and confidence of the employer, the University, or the public.

If the disclosure form or the criminal records review reveals a pending charge or conviction record and its relationship to the vacant position is substantial enough to warrant contemplating removing the candidate from employment consideration, the Human Resources Office shall consult with the UW-System Office of General Counsel, the UW Oshkosh Police Department, the division Vice Chancellor and any other professionals deemed necessary to make a determination as to whether there is a substantial relationship between the pending charge and/or conviction record and the position responsibilities.

The final determination to appoint or reject an individual on the basis of a criminal records review will be made by the Director of Human Resources (or designee), the Equity & Affirmative Action Director, the appropriate Vice Chancellor (or designee) as appointing authority for the division, and in the case of faculty hires a tenured faculty member appointed by the faculty senate and in the case of academic staff hires an academic staff employee appointed by the Academic Staff Council and any other professionals deemed necessary to make a determination as to whether there is a substantial relationship between the pending charge and/or conviction record and the position responsibilities.

Information and records gathered or created in the course of criminal background reviews will be maintained by the Human Resources Office in a separate locked file for seven years after the position has been filled and then disposed of according to the University’s records retention policy. The records will be released only on a need-to-know basis upon the express authority of the Human Resources Director and division Vice Chancellor.
Departmental Procedures

In order to facilitate a criminal records check and not unnecessarily delay the hiring process, any of the following options can be used for a recruitment involving a criminal records check (an option is chosen by the hiring authority depending on the particular recruitment situation).

The criminal background check is done:

Option A: when the finalist(s) to be interviewed is (are) chosen; or

Option B: when a finalist to be offered the position is determined; or

Option C: when a finalist is offered the position contingent upon a successful criminal background check outcome. (The hiring unit can make a conditional offer of employment prior to completion of the criminal background check with the understanding that final confirmation of the appointment is conditional on the successful outcome of the criminal records review. The candidate may not begin employment until the background check has been completed, except in certain circumstances approved by the division Vice Chancellor and the Human Resources Director or their designees.)

1. After choosing one of the above three options, the hiring unit should communicate this information to the Human Resources Office.

2. When the criminal background check for the recruitment is successfully completed, the Human Resources Office and hiring unit are notified so that the final offer of appointment may be extended.

Procedure for Department to Conduct Own Criminal Background Check

UW Oshkosh utilizes one criminal background check policy and procedures plan. With the approval of the Human Resources Office, a University department may conduct their own criminal background checks according to the procedures outlined in the UW Oshkosh Criminal Background Check policy and procedures plan. As part of an approval, the Human Resources Office will require the department to sign an agreement form, and will audit the department procedures on an annual basis. Any information obtained as a result of conducting a criminal background check is to be kept confidential, except on a need-to-know basis or to the extent permitted by the Public Records Act and other applicable laws. Employees authorized to collect or review the background check information will be trained, with the completion of training documented. The individual responsible for maintaining records will be asked to sign a confidentiality agreement. A breach of confidentiality, or the inappropriate use of criminal background check information, may constitute a work rule violation and may be grounds for disciplinary action. Files will be transferred to the Human Resources Office annually with no copies being kept in the department. Failure by the department to comply with the UW Oshkosh criminal background check policy and procedures plan will result in the department losing the ability to conduct their own checks.

If the background check reveals a pending charge or conviction record and rejecting the applicant may be contemplated as a result, the department will contact the Human Resources Director or designee. He/she will consult with the "Review Team" to consist of the Director of Human Resources Office or designee, the Equity & Affirmative Action Office, and the appropriate Vice Chancellor or designee as outlined in the "Criminal Records Review Consultation" section above to review the criminal background check. The Review Team shall be the final decision maker in determining if the criminal activity is substantially related to the functions of the position, and whether a final offer to hire can be made to the candidate.
GEN 1 University Policies and Procedures.

GEN 1.1. Introductory Note.

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GEN 1.3. Computing and Data Policies.

1.3(1) Acceptable Use of Computing Resources Policy.
1.3(2) Data Access and Data Security Policy.
1.3(3) Student Email Policy.
1.3(4) Address Policies.

GEN 1.4. Alcohol, Drugs, and Smoking.

1.4(1) Alcohol and Other Drug Abuse.
1.4(2) Alcoholic Beverages, Possession and Consumption.
1.4(3) Smoking Policy.

GEN 1.5. Research Policies.

1.5(1) Research Participants Policy.
1.5(2) Scientific Misconduct in Research Funded by the Federal Government.
1.5(3) Care and Use of Animals.

GEN 1.6. Other Policies.

1.6(1) Bloodborne Pathogen Policy.
1.6(2) Complimentary Tickets for Athletic and Cultural Events.
1.6(3) Honorary Degrees, Guidelines.
1.6(4) Facility Naming Policy.

GEN 1.1. Introductory Note.

In the case of any conflicts between these policies and the terms and conditions of any applicable collective bargaining agreement, the collective bargaining agreement shall supercede and be controlling for those employees who are covered under that agreement.

GEN 1.2. Shared Principles to Guide Interactions Among Members of the University Community.

The purpose of this document is to provide a framework of beliefs to promote respectful relationships among all members of the University of Wisconsin Oshkosh community. Wherever possible, existing policies have been referenced to demonstrate translation of beliefs into practice.

(1) Preamble.

The University of Wisconsin Oshkosh is a community of scholars whose members include students, faculty, academic staff, classified staff and administrators. The mission of the University of Wisconsin Oshkosh is to discover and disseminate knowledge and to extend the application of knowledge beyond the University for the betterment of society; to develop in its members heightened intellectual, cultural, and humane sensitivity; to enhance its members' scientific, professional and technological expertise and capacity for critical judgment; and to inspire in its members a passion for learning and a sense of values and purpose. Each individual plays an integral role in this common enterprise, and, therefore, has a responsibility to ensure that the University of Wisconsin Oshkosh fulfills its mission of providing the best education possible.

Achievement of these goals requires that all members of the University of Wisconsin Oshkosh community understand and respect their mutual obligations. All members of the University have a responsibility to promote and a right to expect:
(a) a shared commitment to education as a dynamic learning process;
(b) a deep respect for the individuality of each member of the University community . . . and
the preservation of each member's dignity and privacy;
(c) the highest standards of personal integrity in all interactions within and beyond the Uni-
versity;
(d) the widest possible range of free inquiry and expression;
(e) an environment that is free of harassment and free of insulting and demeaning comments
and epithets based on race, ethnicity, gender, religion, sexual orientation, age, disability,
military status, socioeconomic status, family status, or political views; and
(f) consistent enforcement of federal, state, and university protections against discriminatory
treatment yet is free from any official speech codes.

(2) Shared Principles.

(a) A shared commitment to education as a dynamic learning process.

1. Powerful learning experiences require the commitment and involvement of both
teachers and students.

2. The chief mission of those who teach is to formulate and organize varied learning ac-
tivities that will enable students to gain and apply new knowledge, to develop and re-
fine skills and abilities and to reflect upon their attitudes and values in varied ways.

3. These intended outcomes require students to participate actively in the learning pro-
cess rather than consume knowledge passively. Learning is not a spectator sport.

4. Course outlines/syllabi provide information about course objectives and activities with
clear statements of expectations for student involvement and performance.

5. Instructors and students alike prepare thoroughly for each class session in order to be
fully involved in the learning process. Instructors provide sufficient information and
materials to enable students to prepare adequately for class. Students have the re-
sponsibility to keep up with and complete all class assignments and requirements and
to participate fully in the learning process.

6. Those who teach and those who learn assume a mutual responsibility to explore and
add new dimensions to the learning process.

7. Students, in turn, evaluate instruction constructively and offer suggestions that in-
tstructors consider for incorporation into the instructional strategies they use.

(b) A deep respect for the individuality of each member of the University community and the
preservation of each member's dignity and privacy.

1. Members of the University community demonstrate a deep respect for the individuality
of each other and for the feelings of others and their need for conditions that support
their work and development.

2. Members understand the need for each person to satisfy his/her particular interests,
teaching and learning styles within the University community, while the University it-
self assumes an obligation to retain a neutral platform.

3. Members are encouraged to tap their own individual talents and experiences to bene-
fit the learning experiences of others.

4. Members respect individual dignity and privacy as required for a vibrant and nurturing
university.

5. Members respect and accommodate the views and needs of others in order to allow
the development of individual potential.

6. Members have the right to expect the University community to observe the legal re-
strictions governing the confidentiality of information about individuals.
(c) The highest standards of personal integrity in all interaction within and beyond the University.

1. Members of the University community recognize that the maintenance and enhancement of their community requires unswerving adherence to norms of integrity in their interactions with one another and with the world beyond the University.

2. Members evaluate one another's performances without regard to personal characteristics or to beliefs that are unrelated to those performances. Evaluations are uncolored by motives of personal gain.

3. The University's established policies and procedures that concern sexual assault and harassment, racist and other discriminatory conduct and consensual relationships are intended to help ensure objectivity in performance evaluations.

4. Members are particularly careful to preserve the good name of the University by acting with integrity in all relations with individuals and groups beyond the University. Dishonesty in such relations brings dishonor upon the University community.

5. All instructional members adhere to the code of ethics governing outside activities that is found in Chapter UWS 8 of the Wisconsin Administrative Code.

6. Members have the right and duty to be fully informed about the University's rules concerning academic dishonesty, including prohibitions against cheating on examinations, false representation of work submitted for evaluation and plagiarism.

7. In addition to complying with the rules concerning academic dishonesty, members take assertive action in regard to violations of those rules (Wisconsin Administrative Code, “Student Academic Misconduct”, Chapter UWS 14).

(d) The widest possible range of free inquiry and expression.

1. The University community provides opportunities for its members to listen and be heard.

2. Members endeavor to create an environment open and accessible to information, expression and inquiry.

3. Members express their concerns, opinions or beliefs both publicly and privately without fear of recourse, intimidation or threat.

4. Members respect the rights of others when they express their concerns, opinions or beliefs.

5. Students are free to question the data, views or activities in a course on a moral, religious or other basis and to reserve judgment about matters of opinion, yet they remain responsible for meeting the learning objectives of any course in which they are enrolled.

(e) An environment that is free of harassment and free of insulting and demeaning comments and epithets based on race, ethnicity, gender, religion, sexual orientation, age, disability, military status, socioeconomic status, family status or political views; and consistently enforces federal, state and university protections against discriminatory treatment yet is free from any official speech codes.

1. Consistent with established rules and policies, all University community members encourage a sense of duty to address harassing, discriminating or demeaning comments or behaviors.

2. Upon observing discriminatory behaviors or hearing offensive comments, every reasonable effort is made to protect the victim(s) and witness(es) from further harassment.

3. All members act in ways that allow for a diversity of rights, opinions and cultural characteristics both in and out of the classroom.

4. No University member misrepresents actual or suspected violations of this right for
their own personal gain, advancement or other ulterior motive.

5. Every University member is informed of applicable University policies and procedures, pursues action against violators, and informs and protects victims and witnesses.

Encourage members to participate in periodic workshops, courses or programs coordinated by various University groups, whose goals are to inform attendees about issues related to discrimination and harassment (Student Handbook: Courses and Programs).

GEN 1.2.(1). Affirmative Action.


Equal Employment Opportunity and Affirmative Action are legal, social and economic responsibilities of the University. Accordingly, the University is subject to various federal and state laws and rules, including policies that are established by the University of Wisconsin System, relating to Affirmative Action and Equal Employment Opportunity. [Note: A partial listing of these laws includes the following: The Equal Pay Act of 1963, as amended; Title VI of the Civil Rights Act; Title VII of the Civil Rights Act of 1964; The Age Discrimination in Employment Act of 1967, as amended; Sections 503 and 504 of the Rehabilitation Act of 1973, as amended; Executive Order 11246, as amended; Executive Order 28; Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended; Chapters 36 and 230 of the Wisconsin Statutes. Please note that Executive Orders from the Governor of the State of Wisconsin, directives from other state agencies, and other miscellaneous rules, policies, and guidelines of the Board of Regents of the University of Wisconsin System are also applicable.]

The policies, practices, and procedures of the University, as implemented at all levels, ensures the active and positive implementation of federal and state Equal Employment Opportunity and Affirmative Action laws, executive orders, rules and regulations and policies and guidelines of the University of Wisconsin System.

The University is committed to, and reaffirms support for, Equal Employment Opportunity and Affirmative Action and to non-discrimination in employment policies, practices, and procedures. As evidence of this commitment, the University will periodically examine all employment policies, practices, and procedures for impermissible discrimination on the basis of age, ancestry, arrest or conviction record, color, creed, disability, marital status, national origin, political affiliation, race, relationship to other employees, religion, sex, sexual orientation, gender identity or expression, veteran’s status, membership in the National Guard, or other protected class or status. If the employment policies, practices, and procedures can be improved or if discrimination is found to be present, the University will immediately take such remedial action as is necessary to: (1) strengthen the policies, practices and procedures; (2) remediate the effect of such discrimination; and (3) ensure that the discrimination does not recur in the future.

The University’s commitment to the policy of Affirmative Action is intended to overcome the present effects of past discrimination and to balance the composition of the work force while providing Equal Employment Opportunities for all and Affirmative Action for members of groups that are, or have been formerly, underrepresented, consistent with the requirements and limitations of federal and state law and regulations. Affirmative Action in all employment policies, practices, and procedures is required to be taken for women, racial and ethnic minorities, and persons with disabilities in unclassified, classified, limited term employment and project positions with the University. Affirmative Action efforts are implemented in all employment policies, practices, and procedures including, but not limited to, the following: appointments to committees, certifications, classifications, compensations, discharges, evaluations, fringe benefits, interviewing, layoffs, nonrenewals, placements, promotions, recruiting, retentions, screenings, selections, terminations, testing, training, and transfers.

It is recognized that any form of retaliation in employment, including retaliation against any employee or applicant for employment on the basis that they have filed a complaint, assisted with an investigation, or instituted other proceedings, also constitutes a form of discrimination that is expressly prohibited.

The University will appoint a Director of Equity and Affirmative Action and continue to maintain and support an Office of Equity & Affirmative Action. The University Director of Equity and Af-
Affirmative Action will report directly to the Chancellor. The Director of Equity and Affirmative Action is responsible for monitoring and evaluating the implementation of the University's Affirmative Action Plan. The Director of Equity and Affirmative Action shall also serve as a resource and support person to institutional groups that are concerned with Affirmative Action as it relates to all employees, including unclassified and classified.

Annually, the Chancellor shall submit an Affirmative Action Plan outlining goals in compliance with the policies of the Board of Regents of the University of Wisconsin System.

The University maintains an Affirmative Action plan for the recruitment, employment, and promotion of women and minorities. Consistent with this plan, the University monitors hiring and termination decisions for women and minorities to ensure non-discrimination. Copies of the Affirmative Action plan are kept on file in the campus library and in the University’s Office of Equity & Affirmative Action. Summaries of the Affirmative Action plan are available through campus publications and are also available for distribution upon request. The University will prepare an Affirmative Action Report at least once a year. The Report will include an analysis of the progress made toward the attainment of Affirmative Action goals. The Report will also specify any corrective action(s) that are necessary for the University to meet the Affirmative Action goals.

Equal Employment Opportunity and Affirmative Action are shared responsibilities of the entire University community, including the administration, faculty, academic staff, classified staff, and students. Position descriptions for, and performance evaluations of, University administrators shall include an assessment of their attention to, and support for, Affirmative Action. Managers and other supervisory personnel, who share the responsibility for the implementation of Equal Employment Opportunity and Affirmative Action policies within the University, shall have these responsibilities included in their position description and shall be evaluated each year on the basis of their performance with respect to Affirmative Action. Violations of the University's Equal Opportunity and Affirmative Action policy will result in appropriate disciplinary action, consistent with the applicable disciplinary or personnel rules.

The University has established, and will maintain, a Council for Equity & Affirmative Action that is composed of faculty, academic staff, classified employees and students. Individuals shall be selected on the basis of a genuine interest in Affirmative Action and to represent the concerns of women, minorities and disabled individuals. The committee shall advise the University of Affirmative Action needs and concerns. The Council for Equity & Affirmative Action shall assist the University's Director of Equity and Affirmative Action in designing and implementing programs.

Harassment by supervisors or co-workers on the basis of age, ancestry, arrest or conviction record, color, creed, disability, marital status, national origin, political affiliation, race, relationship to other employees, religion, sex, sexual orientation, gender identity or expression, veteran's status, or other protected class or status is a form of discrimination that constitutes an unlawful employment practice that is expressly prohibited. Therefore, it shall be the goal of the University to prevent and eliminate all forms of harassment within the University. As used above, "harassment" includes any verbal or physical conduct which does any of the following: hinders access to employment; interferes with an individual's performance at work; or which creates an intimidating, hostile, offensive, or demeaning environment at work.

The University is committed to conducting training and professional development programs to further efforts to promote the career advancement of women, minorities and disabled individuals. The University is committed to sponsorship of community outreach programs with the aim of increasing educational and employment opportunities for women, minorities and disabled individuals.

The University ensures physical accessibility to work stations for disabled individuals. The University will provide reasonable accommodations for any persons with disabilities who submit a request to ensure equal access to employment. The University will provide reasonable accommodations for any persons who submit a request relating to religious observances and practices.

The University has established procedures for providing prompt and fair resolution of com-
plaints alleging discrimination or harassment. These procedures are outlined in the University's Affirmative Action Plan which is included in employee handbooks and copies of which are available, upon request, from the University's Director of Equity and Affirmative Action. Complaints by employees within a bargaining unit alleging discrimination or harassment are to be presented as a complaint or grievance, as applicable, under the procedure that is specified in the appropriate union contract.

GEN 1.2.(2). Disability Accommodation Policy and Procedures.

(1) Statement of Purpose.

It is the policy of the University of Wisconsin Oshkosh to provide reasonable accommodations for qualified disabled individuals who are employees or applicants for employment. The University of Wisconsin Oshkosh will adhere to all applicable federal and state laws, regulations, and guidelines with respect to providing reasonable accommodations which are required to afford equal employment opportunity to qualified disabled individuals. Reasonable accommodations will be provided in a timely and cost-effective manner. Employment opportunities shall not be denied because of the need to make reasonable accommodations to an individual's disability. If you have questions regarding this policy, contact the University of Wisconsin Oshkosh Director of Equity and Affirmative Action.

(2) Definitions.

(a) "Disabled individual." Note: Both state and federal law provide definitions of "handicapped" individuals. Since these laws were written, "disabled individuals" or "persons with a disability" has become the preferred term. For purposes of this policy the term "disability" is used with the understanding that it has the same meaning as "handicap" in state and federal law.

The Americans with Disabilities Act of 1990 in part states that all state agencies must comply with Title I of the ADA and as such prohibits employment discrimination against "qualified individuals with disabilities." A qualified individual with a disability is:

An individual with a disability who meets the skill, experience, education, and other job-related requirements of a position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of a job.

The ADA definition of individual with a disability is very specific. A person with a "disability" is an individual who:

1. has a physical or mental impairment that substantially limits one or more of his/her major life activities;
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

(b) "Qualified disabled individual." A disabled individual whose experience, education and/or training enable the person, with reasonable accommodation, to perform the essential functions of the job.

(c) "Reasonable accommodation" is defined as any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for an individual with a disability to enjoy an equal employment opportunity.

(d) According to the ADA regulations an undue hardship is defined as "an action that requires 'significant difficulty or expense' in relation to the size of the employer, the resources available, and the nature of the operation."

In general undue hardship includes any action that is: (1) unduly costly; (2) extensive; (3) substantial; (4) disruptive; or (5) that would fundamentally alter the nature or operation of the business.

(3) Informing Individuals About Requesting Accommodations.

(a) Applicants for Employment.
1. All applicants who are invited for interviews will be informed of the University policy to provide reasonable accommodation for applicants and employees with disabilities. They will be informed that they can request accommodation for interviews and be informed how to make the requests.

The following paragraph will be added if a letter is used as part of the interview scheduling process:

"It is the policy of the University of Wisconsin Oshkosh to provide reasonable accommodations for qualified persons with disabilities who are employees or applicants for employment. If you need assistance or accommodations to interview because of a disability, please call the Human Resources Office. Employment opportunities will not be denied to anyone because of the need to make reasonable accommodation to a person's disability."

If all interview arrangements are made by phone, this information will be given as part of the phone conversation.

2. If applicants are asked questions regarding their ability to perform required job duties, all applicants should be asked the same questions. This question may be prefaced with a statement regarding the University's willingness to provide reasonable accommodations. Note: Applicants may not be asked whether or not they have a disability.

3. If an applicant indicates during the interview process that he or she has a disability, follow-up questions regarding possible accommodations may be pursued.

4. Qualified applicants cannot be denied employment solely on the basis of a need to provide a reasonable accommodation. However, if an applicant who receives a tentative job offer cannot reasonably be accommodated, the offer must be rescinded.

5. Applicants who have received job offers will make accommodation requests using the Disability Accommodation Request Form (DER-DAA-10)

(b) Employees.

1. Employees will be told about their right to request reasonable accommodations: (1) During the orientation for all new employees. (2) At the time of the biennial survey to allow employees to self-identify as persons with disabilities. (3) In the UW Oshkosh Faculty and Academic Staff Handbook.

In addition, if a supervisor becomes aware of a potential need for an accommodation because of a performance issue, the supervisor may meet with the employee to discuss whether or not an accommodation request might be appropriate.

2. All requests for reasonable accommodations must be in writing using the Disability Accommodation Request Form (DER-DAA-10).


(a) The Process.

1. An employee who wants to request an accommodation fills out the Disability Accommodation Request Form (DER-DAA-10) and gives it to his or her supervisor.

2. The supervisor reviews the request and discusses it with the ADA Coordinator or designee. If the request is straightforward and does not involve significant issues or expenses, the ADA Coordinator or designee will approve the request. If the request involves issues which are more complex or involve a major budget commitment, the ADA Coordinator or designee may do any or all of the following: (1) Meet with the employee and the supervisor to get more information concerning the request. (2) Consult with the supervisor and human resources specialist to determine the essential functions of the job. (3) Consult with University budget and purchasing specialists. (4) Consult with the reasonable accommodation specialist in the State Division of Affirmative Action. (5) With the employee's permission, consult with any medical or rehabilitation specialists who may be working with the individual.
3. The employee will be informed of the University's decision regarding the accommodation request within 20 working days. If the 20-day limit cannot be met, the ADA Coordinator will meet with the employee to agree on a reasonable time limit. The employee will be informed of the decision regarding the accommodation request in writing, using the Disability Accommodation Request Form.

4. Distribution of the request form is: (1) original to the employee; (2) Copy 1 to the employee personnel file; (3) Copy 2 to the agency AAO confidential file; (4) Copy 3 to the State Division of Affirmative Action. Note: The employee's name, signature and job title will be deleted from the copy that is sent to the Division of Affirmative Action.

(b) Policies and Guidelines.

1. Employees may be asked to provide verification of their disability. Factors to be considered when deciding whether or not to request verification includes the following. (1) Is the employee known to have a disability? (2) Does the applicant or employee have an observable disability? (3) Does the request expand on an existing accommodation or previously provided accommodation for which a verification was required? Example: an employee with a seizure disorder who needs a driver due to recurring seizures which had been under control. (4) Does the request appear inappropriate?

The verification must be provided by an appropriate medical or rehabilitation professional.

The employee must bear the initial cost of verification. (Note: This will usually be covered by health insurance.) If the University requests additional verification of the disability, or the disability's impact on job requirements, the University will bear the cost.

2. The University of Wisconsin Oshkosh will provide a reasonable accommodation to the known physical or mental limitations of a qualified applicant or employee with a disability unless it can show that the accommodation would impose an undue hardship.

This obligation to provide a reasonable accommodation applies to all aspects of employment. This duty is ongoing and may arise any time that a person's disability or job changes.

The University of Wisconsin Oshkosh will not deny an employment opportunity to a qualified applicant or employee because of the need to provide reasonable accommodation, unless it would cause an undue hardship.

University of Wisconsin Oshkosh does not have to make an accommodation for an individual who is not otherwise qualified for a position.

It is the obligation of an individual with a disability to request a reasonable accommodation.

A qualified individual with a disability has the right to refuse an accommodation. However, if the individual cannot perform the essential functions of the job without the accommodation, s/he may not be qualified for the job.

If the cost of an accommodation would impose an undue hardship on the University of Wisconsin Oshkosh, the individual with a disability will be given the option of providing the accommodation or paying that portion of the cost which would constitute an undue hardship.

3. Factors which should be considered when determining reasonableness include the following. (1) Are the job functions for which the accommodation is required essential to the overall performance of the job? (2) Is the applicant or employee otherwise qualified to perform the essential job functions? (3) Does the accommodation accomplish the desired result, i.e., allowing the individual to effectively perform the essential functions of the job? (4) Will the accommodation adversely affect the productivity or work environment of other employees in the work unit? (5) Is the cost of the accommodation feasible within the University's budget? If not, can approval be obtained from the Department of Administration (DOA) to use funds which are statutorily re-
served for reasonable accommodation? (6) Are there other more cost-effective options which will allow the individual to perform the essential functions of the job?

The University of Wisconsin Oshkosh is not required to make a reasonable accommodation if it would impose an undue hardship on the operation. Accordingly, whether a particular accommodation will impose an undue hardship, will be determined on a case-by-case basis.

4. As a general rule, the University will purchase equipment only if it is determined that the use of the equipment is necessary in transaction of its official business. The equipment may not be of a personal nature (for example: eyeglasses, hearing aids, etc.) which the employee can reasonably be expected to provide. In determining whether the purchase of a device should be authorized, consideration will be given to how well the employee could perform the job without the equipment and whether the principal benefit will be better job performance by the employee.

5. The employee or applicant will always be the primary person consulted with when determining the most appropriate accommodation.

Employees will be given an opportunity to provide, or arrange for, their own accommodations; for example, using volunteer drivers or readers, or providing their own adaptive equipment. However, the procedures in these policies and guidelines must be followed (written request, approval, etc.) even if employees provide or arrange for their own accommodations. This gives documentation of accommodations and ensures that the accommodations are not disruptive to the workplace.

6. If an employee acquires a disability and the University is not able to make reasonable accommodations which will allow the individual to continue in his or her current position, the University will explore possibilities for placement in other positions within the University. The movement to another position may be a transfer, a demotion, or change to part-time employment, and must be made in accordance with applicable collective bargaining agreements, Chapter 230 of the state statutes, and Administrative Rules for Chapter 230.

While no legal responsibility exists for alternative placement outside the University, employees will be counseled regarding their rights to other positions in state employment through the University's Human Resources Office or the Office of Equity and Affirmative Action.

Note: Under the Federal Rehabilitation Act, accommodation is only required to permit an individual to perform his or her particular job. The responsibility to look for alternative positions is clear in s. 230.37 (2), Stats.: "When an employee becomes physically or mentally incapable of or unfit for the efficient and effective performance of the duties of his [or her] position by reason in infirmities due to age, disabilities, or otherwise, the appointing authority shall either transfer the employee to a position which requires less arduous duties, if necessary demote the employee, place the employee on a part-time service basis and at a part-time rate of pay or, as a last resort, dismiss the employee from the service. The appointing authority may require the employee to submit a medical or physical examination to determine fitness to continue in service...."

7. After accommodations are provided, the employee and his/her supervisor need to evaluate the effectiveness of the accommodation. The Office of Equity & Affirmative Action will also be involved in this process. If modifications to the accommodation are needed, they should be requested using the procedures outlined in this policy.

(c) The Appeal Process.

1. If a current employee disagrees with a decision regarding an accommodation request for employment, he/she has a right to appeal the decision using the following procedure. Applicants do not have access to this procedure. They have the option to follow the usual discrimination complaint procedure (Personnel Commission, EEOC, etc.)
2. When an accommodation request is denied, an employee may, within 30 calendar days, appeal the decision to the Office of Equity & Affirmative Action. The appeal must be in writing, stating the reason for the disagreement. The Office of Equity & Affirmative Action will reevaluate the decision, considering any additional information from medical or vocational rehabilitation experts. The Office of Equity & Affirmative Action may consult with staff from outside agencies such as OSER/DAA, DHSS/DVR or DOA 504 coordinator in the appeal process--taking care to provide confidentiality for the employee. The Office of Equity & Affirmative Action then discusses all information regarding the appeal with the Chancellor. The Chancellor makes the final decision regarding the appeal. The employee receives the final decision regarding the appeal in writing within 30 calendar days after the appeal was filed.

GEN 1.2.(3). Communicable Diseases and Life-Threatening Medical Conditions.

(1) The University of Wisconsin Oshkosh endorses the State of Wisconsin's policy on the subject of communicable diseases and life-threatening medical conditions. (Reference: State of Wisconsin, Department of Employment Relations, January 13, 1989.)

(a) Toward that end, the University is committed to employment practices which encourage people with disabilities, regardless of the nature of the disability, to maintain productive status in the state workforce. The University recognizes:

1. that it is important for employees with life-threatening medical conditions (including but not limited to cancer, heart disease, hepatitis and AIDS/HIV) to continue to participate in as many of their normal activities as their condition will allow, including work;

2. that employment may be therapeutically important in the remission or recovery process and may help to prolong and improve the quality of the employees' lives [Note: As long as employees meet acceptable performance standards, and medical evidence indicates their conditions pose no risk to themselves or others in the workplace, managers shall be sensitive to their conditions and ensure that they are treated with dignity and respect consistent with the treatment of other state employees.]; and

3. that the University is obligated to provide a safe work environment for its employees and the public it serves.

(b) Given the foregoing, the University will ensure to the best of its ability that an employee's health condition does not present a significant health and/or safety risk to other employees or the public.

(c) The University recognizes the need to maintain an open and informed environment for its employees; therefore, our employees shall have access to education resources on health issues to eliminate prejudice and unwarranted fear about diseases in the workplace.

(d) The University further recognizes that an employee's medical condition is personal and confidential and not subject to disclosure to others without consent unless otherwise provided by law. The University hereby assures its employees of complete confidentiality when seeking counseling or medical referral assistance. (The right to confidentiality is subject to the employer's responsibility to protect other employees and the public from contracting or being exposed to a contagious disease.)

(e) Finally, the University recognizes that state law prohibits AIDS testing as a condition of employment. The University also accepts the responsibility of the Secretary of the Department of Employment Relations, pursuant to Sec. 230.04, Stats., to ensure that employees who have communicable diseases and/or life-threatening medical conditions do not suffer discrimination in employment.

(2) The University will operate consistent with the policy of the State of Wisconsin to continue the employment of employees and to provide employment opportunities to qualified applicants who have communicable diseases and/or life-threatening medical conditions so long as such persons remain able to perform their assigned duties safely and efficiently and the employee's health condition does not present a significant health and/or safety risk to other employees, clients served, or the public.
(3) The University agrees to provide reasonable accommodation in accordance with federal and state laws and policies. Discussions of accommodation requests must include the Director of Equity and Affirmative Action.

(4) Supervisors must consider requests from employees for accommodation. Employee’s who recognize a need for accommodation are encouraged to report their medical conditions to their supervisors so that their requests for accommodations can be appropriately considered. [Note: References to “supervisors” or “managers” in this document are based on the state policy document. These phrases should be interpreted to refer to corresponding positions at the University, recognizing the rights and status of classified employees, academic staff, faculty, and persons serving in limited appointments.]

(5) Supervisors must counsel employees who feel threatened by a co-worker’s illness concerning matters involving their employment. There is no requirement to provide alternate accommodations.

(6) The following procedures shall be followed by managers and supervisors when they are made aware that an employee has a communicable disease and/or a life-threatening medical condition.

(a) The University shall periodically provide updated information on communicable diseases and/or life-threatening medical conditions in the workplace.

(b) In addition to the publication of this statement in the Faculty and Academic Staff Handbook, employees, managers and supervisors may, as necessary, receive training on this policy and other relevant information on specific conditions.

(c) All actions taken under this policy shall be consistent with the goal of the policy which is continued employment for employees who are able to work. Toward this end, managers and supervisors may make appropriate referrals to:

1. the Employee Assistance Program;
2. the Human Resources Office (for information and assistance on benefits including sick leave, life and health insurance, alternative work patterns, disability leave and other benefits); and
3. community medical, education and support resources (as necessary and appropriate)

(d) All matters pertaining to an employee’s medical condition are personal and confidential. Reasonable precautions must be taken to protect from disclosure unauthorized information regarding employees’ health conditions. Managers and supervisors must not discuss an employee’s condition without her/his authorization except as required to administer this policy. A written consent should be obtained.

(e) The Director of the Employee Assistance Program is available for consultation when managing a situation that involves an employee with a communicable disease and/or a life-threatening medical condition.

(f) Decision on accommodation requests may require consultation with the Director of Equity and Affirmative Action and the Director of the Employee Assistance Program.

(g) When a manager or supervisor is informed or becomes aware that other employees believe that an employee has a communicable disease and/or life-threatening medical condition, the concerned employee should be informed and consulted regarding steps to be taken.

(h) Managers and supervisors should be sensitive to co-workers’ concerns. They should emphasize employee education and make arrangements to provide it in consultation with the Director of the Employee Assistance Program. The Health Place, a service program sponsored by the College of Nursing, may also provide help and assistance with the educational outreach activities. However, no special consideration need be given beyond normal transfer requests to employees who feel threatened by a co-worker’s communicable disease and/or life-threatening medical condition.
(i) Employees with communicable diseases and/or life-threatening medical conditions will be encouraged to seek referral and information assistance from the Director of the Employee Assistance Program.

(j) If any problems or issues arise relating to the implementation of these policies or procedures, the Chancellor may convene an ad hoc task force that shall include the following among its members: the Director of the Employee Assistance Program, the Director of Equity and Affirmative Action, the Director of Human Services, and other appropriate administrators.

(k) All complaints alleging violation of this policy or these procedures shall be presented in writing to the Director of Equity and Affirmative Action and will be investigated in accordance with the applicable complaint procedures.

(7) List of references supporting this policy.

The Wisconsin Fair Employment Law; (2) Section 504 of the Rehabilitation Act of 1973, as amended; (3) State of Wisconsin Reasonable Accommodations Policy; (4) United States Department of Justice, Office of Legal Counsel, Memorandum on the Application of Section 504 of the Rehabilitation Act to HIV-Infected Person (September 27, 1988); and (5) Standards Issued by the Federal Center for Disease Control.

GEN 1.2.(4). Racist and Discriminatory Conduct.

(1) Statement of Policy and Commitment.

The University of Wisconsin Oshkosh subscribes to the policy of the Board of Regents of the University of Wisconsin System that racist and other discriminatory conduct toward students, employees, officials, and guests at the University of Wisconsin Oshkosh is conduct which will not be tolerated.

(a) Discrimination, discriminatory attitudes, and expressions that reflect discrimination are inconsistent with the efforts of the University of Wisconsin Oshkosh to foster an environment of respect for the dignity and worth of all members of the University community and to eliminate all manifestations of discrimination within the University.

(b) Toward this end, the University of Wisconsin Oshkosh, is therefore committed to the elimination of racist and other discriminatory conduct.

(c) Faculty, academic staff, classified staff, students, student organizations, academic departments, colleges, governance organizations, and other University offices, are encouraged to undertake educational programs and other efforts consistent with this policy.

(2) Definition.

"Racist and other discriminatory conduct" means intentional conduct, either verbal or physical, that explicitly demeans the race, sex, religion, color, creed, disability, sexual orientation, national origin, ancestry, or age of an individual or individuals, and that either: (1) has the purpose or effect of interfering with education, University-related work, or other University-authorized activity of a University student, employee, official or guest; or (2) creates an intimidating, hostile or demeaning environment for education, University-related work, or other University-authorized activity.

In order to enhance understanding of the conduct prohibited under this policy, the following specific examples of racist and other discriminatory conduct are provided:

(a) Physical contact or attacks for racial reasons;

(b) Intimidation through the threat of force or violence on a person's body, possessions or residence;

(c) Verbal assaults based on ethnicity, such as name calling, racial slurs, or "jokes" that demean a victim's color, culture or history.

(3) Review of Allegations.

 Allegations of violations of this policy shall be reviewed in accordance with the following re-
quirements.

(a) All allegations of racist and other discriminatory conduct must be reviewed in light of all of
the relevant facts and circumstances, with due consideration being given to the essential
rights to academic freedom, equality, fairness, and freedom of expression.

(b) Even though an individual may exercise poor personal judgment or otherwise act in a
manner inconsistent with the intent of this policy, not every offensive, repugnant, or inap-
propriate act or incident constitutes discrimination or harassment that is prohibited under
this policy. Whether a specific incident constitutes harassment under this policy will be
decided on a case-by-case basis in accordance with the appropriate complaint procedure.

(4) Procedures

(a) Informal Complaint Procedure. Informal complaints or expressions of concern about pos-
sible racist and other discriminatory conduct (or questions concerning the scope or appli-
cation of this policy) may be addressed to the University's Director of Equity and Affirma-
tive Action. The Director of Equity and Affirmative Action may work with other offices (e.g.,
the Chancellor, Provost and Vice Chancellor, Dean of Students, employee assistance,
etc.) to informally review these matters and reach a resolution acceptable and satisfactory
to all concerned parties.

(b) Formal Complaint Procedure. Formal complaints pertaining to possible racist and other
discriminatory conduct may be pursued consistent with other University rules and proce-
dures, as noted below:

1. Students. [Refer to UWS 17.03(8).]

2. Faculty. Formal complaints concerning the conduct or expression of members of the
faculty may be presented to the Chancellor under the complaint procedures set forth
in the faculty personnel rules that were developed consistent with section UWS 6.01.

3. Academic Staff. Formal complaints concerning the conduct or expression of members
of the academic staff may be presented to the Chancellor under the complaint proce-
dures set forth in the academic staff personnel rules that were developed consistent
with section UWS 13.01.

4. Classified Staff. Formal complaints concerning the conduct or expression of members
of the classified staff who are represented by a union may be presented to the Uni-
versity's Director of Human Resources consistent with the terms and conditions of the
appropriate collective bargaining agreement. Formal complaints concerning the con-
duct or expression of members of the classified staff who are not represented by a u n-
ion may be presented to the Chancellor.

(5) Additional Prohibitions.

It is also a violation of this policy to coerce, discriminate against, harass, intimidate, retal i-
ate against, or otherwise threaten any individual who complains under this policy, or who
participates in the investigation of such a complaint.

Explanatory Notes: (a) This policy was written to implement the October 1988 UW System Policy
Statement and Guidelines on "Racist and Other Discriminatory Conduct." The policy incorporates
standards of conduct and other conditions required under the scope and substance of the System pol-
icy. Given the conditions and circumstances under which this policy was written, it is noted here that
this policy does not include all of the divergent policies and views of the governance groups that re-
viewed and approved this statement. (b) In order for discipline to be imposed for a violation of this pol-
icy, the racist or discriminatory conduct must have been intentional. Intent may be found if it is deter-
cmined that the individual had the purpose to engage in the racist or other discriminatory conduct. In-
tent may also be found if it is determined that the individual was aware that his or her conduct was
practically certain to constitute racist or other discriminatory conduct. The determination of intent un-
der this policy requires a very careful review of all of the conditions and circumstances that were pre-
sent at the time of the incident. The review must include the following: (1) what the person said or did;
(2) what other persons observed or heard; (3) the impact or significance of the conduct on the com-
plaining individual and on the environment for education, University-related work, or other University-
authorized activity; and (4) any other available information or evidence that helps to explain the context in which the incident took place. In an easy case, the required intent can be found on the basis of the admission of the individual whose conduct is under review. In other, more difficult cases, the finding of intent is complicated by several factors (i.e., there may be a difference between what a person intended and what actually happened; a person may act with two or more intentions). Therefore, in difficult cases, the determination of intent may be aided by the assumption that persons intend the natural and probable consequences of their actions. However, if this assumption is made, it may be rebutted by a careful and systematic review of other evidence or findings.

GEN 1.2.(5). Relationship Violence Policy.

(1) Introduction.

Sexual assault, sexual harassment, domestic or dating violence and stalking are related phenomena and are referred to in this policy under the general title of relationship violence. However, each has unique characteristics and the University of Wisconsin Oshkosh chooses to address each in separate sections of this policy in order to enhance understanding and access to resources.

(2) Policy Statement.

As a matter of policy, relationship violence, including all forms of sexual assault, sexual harassment, domestic or dating violence, and stalking will not be tolerated in the University community. The University of Wisconsin Oshkosh is an educational community bound by common standards of conduct and a commitment to its educational mission. Relationship violence is a particularly troubling violation of our community standards because it interferes with the educational mission by:

- Endangering the physical and emotional safety of community members;
- Damaging trust and security of community members;
- Offending the dignity and violating the autonomy of community members; and
- Disrupting the academic progress of victims at the time of the violation and during any subsequent attempt at recovery.

Portions of this policy may parallel legal statutes, but are in no way intended to substitute or supplant those laws. As members of the University community, employees are expected to comply with and abide by the University policies and guidelines, in addition to federal, state, and local laws whether they are on or off campus. The use of alcohol and other drugs in conjunction with an incident of relationship violence does not diminish accountability for committing these acts or lessen the seriousness of the offense.

University policy specifically prohibits any form of retaliation or reprisal against persons who report sexual harassment, sexual assault, domestic/dating violence, or stalking and who prevent the recurrence of such crimes. Forms of retaliation that are prohibited include, but are not limited to, the following:

- Threats; bribes; unfair treatment; down-grading evaluations in employment or academic arenas; further harassment such as ridicule, pranks, harassment, taunting, bullying, and organized ostracism.

In order to provide for the needs of victims, as well as to enforce standards of conduct critical to our mission, it is vital that all violations of this policy are reported to appropriate authorities. Employees experiencing relationship violence or who have questions about their experiences are encouraged to use services provided by the Office of Equity & Affirmative Action, Campus Victim Advocates, Counseling Center, Employee Assistant Program, University Police, and other support services on campus.

Procedures for on-campus disciplinary action to be taken when a student is accused are covered in UWS Chapter 17 as found herein. Copies of the Student Discipline Code are available in the Dean of Students Office. In cases of alleged relationship violence, (1) the accuser and the accused shall be provided an opportunity to be represented during the course of disciplinary hearing and (2) both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceedings concerning alleged relationship violence under pa-
rameters of federal and state law, and University policy.

GEN 1.2.(6). Sexual Harassment Policy.

(1) Introduction.

The University of Wisconsin Oshkosh is committed to providing and maintaining an environment that respects and protects the rights of all its members. This commitment is reflected in the following Sexual Harassment Policy. In approving this policy statement, the University community expresses its commitment to inform the campus community of this policy, to provide appropriate training and to follow through on all concerns that are presented relating to the environment for learning, working, and studying that is to be established and maintained at the University of Wisconsin Oshkosh.

Sexual harassment deprives its victims of rights guaranteed under Title VII of the Civil Rights Act of 1964. Sexual harassment has no place in the educational community and will not be tolerated at the University of Wisconsin Oshkosh.

(2) Definition.

Sexual harassment is defined by the University of Wisconsin Oshkosh as follows: Sexual harassment is a form of sex discrimination. It occurs in a variety of situations which share a common element: the inappropriate introduction of sexual activities or comments into the work, learning or living situation. Often, sexual harassment involves relationships of unequal power, and contains elements of coercion—as when compliance with requests for sexual favors becomes criterion for granting work, study, grading or other benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behavior have a harmful effect on a person's ability to study or work in the academic setting. Unwelcome sexual advances, requests for sexual favors, and other physical conduct and expressive behavior of a sexual nature constitute sexual harassment when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;

(b) Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or

(c) Such conduct has the purpose or effect of substantially interfering with an individual’s academic or professional performance or creating an intimidating, hostile or demeaning employment or educational environment.

(3) Overview.

In keeping with this policy, the University of Wisconsin Oshkosh will make a concerted effort: (1) to prevent sexual harassment from taking place; (2) to protect employees and students from all forms of sexual harassment as defined; and (3) to rid the University of any such offensive conduct. Toward these ends, any form of sexual harassment (as defined above) provides an immediate basis for the review of those actions and may also provide grounds for the imposition of appropriate disciplinary action, up to and including suspension or termination. In addition to this formal policy, it is important to note that there may be other approaches to solving sexual harassment complaints than those listed in this policy.

University policy specifically prohibits any form of retaliation or reprisal against persons who report sexual assault, domestic/dating violence, or stalking and who prevent the recurrence of such crimes. Forms of retaliation that are prohibited include, but are not limited to, the following: threats; bribes; unfair treatment; down-grading evaluations in employment of academic arenas; further harassment such as ridicule, pranks, harassment, taunting, bullying, and organized ostracism.

(4) Procedures.

All allegations of sexual harassment will be taken seriously, with careful attention given to the rights and protection of both the accused and the accuser. Any person who believes that sexual harassment has occurred may make an inquiry or complaint by utilizing the procedures
described in this document. Individuals presenting an allegation of sexual harassment to the University, whether formal or informal, should realize that they may be called upon to provide additional information at a later date to complete the review.

Inquiries or complaints about sexual harassment and all associated records related to any investigation and resolution of a claim are to be kept confidential throughout the process to the maximum extent allowed under state and federal law. It should be noted that under established Wisconsin law, there is a stated presumption of public access to all public records, including those held by the University of Wisconsin Oshkosh.

This presumption of public access means that any member of the public (including the media) may request copies of documents and records held by the University. Once a request is received, the University has the legal obligation to complete a review of that request and provide a response that can be reviewed in court. In order to deny access to such a request, the custodian of the record must make a determination that there is a legal basis to deny the request, which includes a determination that the public interest in not releasing the record is outweighed by the clear statutory presumption in favor of disclosure and public access.

In some cases, complainants may ask to remain anonymous. In instances where anonymity is requested, it should be understood that doing so may limit the options that are available. Although we will strive to ensure anonymity will be maintained when it is requested, there may be some situations where providing it may not be possible.

An individual wishing to make an inquiry regarding sexual harassment will be informed of options available and the responsibilities associated with the resolution process. Inquiries may be addressed to the following persons: Director of Equity and Affirmative Action, members of the Sexual Harassment Resource Group, the Dean of Students, department chairs, and deans. The Director of Equity and Affirmative Action shall ensure that these individuals receive appropriate training and orientation to this policy and to the requirements for reviewing and processing complaints under this framework.

Further, individuals designated as Resource Persons are also available to assist and serve in an inquiry regarding sexual harassment.

There are two ways in which a complaint of sexual harassment can be handled, an informal procedure and a formal procedure. The essential difference between the two procedures is the nature of the outcome being sought by the complainant.

(a) Informal Procedure.

The informal procedure typically seeks acceptable mediation or resolution of the complaint between the parties involved, usually without any kind of sanction or penalty imposed against the accused. In some cases, educational efforts may help an alleged harasser to understand why specific actions or conduct may be wrong or inappropriate. In these instances, an informal mechanism may help to accomplish important behavioral goals. Different approaches to the problem will be discussed and a course of action decided upon.

During the informal discussion and investigation of such a complaint, emphasis is placed on the resolution of the matter as quickly as possible, at the lowest level possible involving the fewest number of people. Resolution sought will be after consultation with the complainant. If there are any records associated with the complaint, these documents will be filed in the office of the Director of Equity and Affirmative Action.

(b) Formal Procedure.

The formal procedure engages a more structured process in seeking resolution and requires a written complaint be filed with the Director of Equity and Affirmative Action. Upon receipt of a formal written complaint, the Director of Equity and Affirmative Action shall immediately confer with the Chancellor and the complaint itself shall be referred to the Chancellor for review and processing as required under the applicable complaint procedure. If a sexual harassment complaint is filed directly with the Chancellor, without involvement from the Director of Equity and Affirmative Action, the Chancellor shall confer
with the Director of Equity and Affirmative Action before beginning the formal review of that complaint. This procedure may evolve from the informal process described earlier or it may be selected as the initial course of action.

When pursuing a formal complaint, the complainant has the implied responsibility to provide factual information and any other evidence that either supports the allegations under review or substantiates the substance of the complaint. This commitment includes a willingness to cooperate with the University and to support the investigative process as the formal review continues. In cases that may involve the formal imposition of disciplinary sanction(s), the complainant may also be called upon to appear as a witness in a formal University hearing on the matter.

As noted in the following sections, the formal procedure utilizes existing administrative or personnel rules in seeking a sanction, penalty or other action against the accused:

1. Academic Staff: Complaint procedure as outlined in The University of Wisconsin Oshkosh Faculty and Academic Staff Handbook, Chapter 16, “Complaints,” and Chapter 15, "Grievances."

2. Classified Staff: Complaint procedure as established and implemented by the Human Resources Office.

3. Faculty: Complaint procedure as outlined in The University of Wisconsin Oshkosh Faculty and Academic Staff Handbook, Chapter 9, Part B, “Faculty Complaints."

4. Students: Complaint procedure as outlined in Chapter 17 of the Wisconsin Administrative Code administered by the Dean of Students Office.

Resolution will be sought only after consultation with the complainant. The complainant shall be informed of the actions taken or outcomes reached as a result of the complaint process.

The complainant may, at any time during the formal process, choose to withdraw the complaint, or to pursue resolution of the complaint through the informal process set forth above.

Records of all complaints, investigations and resolutions will be filed in the Office of the Director of Equity and Affirmative Action. Additional records may also be filed according to the administrative or personnel rules utilized in the resolution process.

(5) Resource Persons.

In order to provide assistance with the implementation of this policy, the University has established a Council for Equity and Affirmative Action. Appointments will be made by the Senate of Academic Staff (Academic Staff), Human Resources Office (Classified Staff), Faculty Senate (Faculty) and Oshkosh Student Association (Students). The appointment of the person with counseling and/or student personnel experience will be made by the Director of Equity and Affirmative Action.

Resource Persons should be available to assist those with a sexual harassment concern in any of the following manners: (1) As a resource for information and referral. (2) As support in meetings with the Director of Equity and Affirmative Action or other representatives of the University, as requested by the individual. (3) To assist in the resolution process as requested by the individual.

Those individuals who agree to serve as Resource Persons will receive training on the issue of sexual harassment, including appropriate listening, response and resolution strategies. Resource Persons will maintain confidentiality of information in a sexual harassment allegation to the extent permitted by state and federal law.

GEN 1.2(7). Consensual Relationships.

It is in the interest of the University of Wisconsin Oshkosh to provide clear direction and educational opportunities to the University community about the potential ethical implications and professional risks associated with consensual romantic and/or sexual relationships where a definite power differen-
tial between the parties exists. According to the UW System Statement on Consensual Relationships, these relationships are of concern for two primary reasons:

(1) Conflict of Interest.

"Conflicts of interest may arise in connection with consensual romantic and/or sexual relationships between faculty or other instructional staff and students, or between supervisors and subordinates. University policy and more general ethical principles preclude individuals from evaluating the work or academic performance of others with whom they have intimate familial relationships, or from making hiring, salary or similar financial decisions concerning such persons. The same principles apply to consensual romantic and/or sexual relationships, and require, at a minimum, that appropriate arrangements be made for objective decision-making with regard to the student, subordinate or prospective employee."

(2) Abuse of Power Differential.

"Although conflict of interest issues can be resolved, in a consensual romantic and/or sexual relationship involving a power differential the potential for serious consequences remains. Individuals entering into such relationships must recognize that:

(a) the reasons for entering such a relationship may be a function of the power differential [and may be exploitative in nature];

(b) where power differentials exist, even in a seemingly consensual relationship, there are limited after-the-fact defenses against charges of sexual harassment; and

(c) the individual with the power in the relationship will bear the burden of accountability."

GEN 1.2.8. Workplace Violence Prevention Policy.

The University of Wisconsin Oshkosh is committed to providing a safe environment that is free from fear of violence, acts of intimidation or threats, and violent behavior. The University’s goal is to provide an atmosphere where different viewpoints can be heard, challenged and defended. To this end it becomes the obligation of those associated with the University to share in the responsibility of maintaining a sense of mutual respect and civility. This statement is the product of a cooperative effort involving administrators, faculty, staff, and students.

(1) Policy Statement.

The University will not tolerate violence, threats of violence, harassment and inappropriate behavior intended to intimidate or frighten others in the workplace. The purpose of this policy is to deal with workplace violence proactively, through education, mediation, and consultation before it escalates to the formal level of disciplinary action. Violation of this policy will be addressed by applicable policies and procedures, contracts, and statutes.

(2) Definition and Examples.

Workplace violence is any act, behavior, or communication that is abusive and could cause another person physical, emotional, or psychological harm, or which damages or threatens to damage personal or University property, or which disrupts the work, or sense of safety of any employee on campus.

Some examples of threatening behavior include, but are not restricted to, the following:

(a) brandishing a weapon or an object that can be construed to be a weapon;

(b) shoving, slapping, punching, or any physical assault of a person;

(c) threats of physical harm to a person or the person’s family;

(d) threatening phone calls or electronic messages;

(e) domestic conflicts that extend into the workplace;

(f) striking or throwing objects;

(g) touching someone in an unwelcome manner;

(h) stalking or aggravated behavior that may result in violence;
(i) sabotaging equipment or intentionally damaging property;

(j) suggestive or obscene language and gestures;

(k) comments that a reasonable person can interpret as ethnic, religious, or sexual slurs.

**GEN 1.2.(9). Mandatory Reporting of Child Abuse and Neglect**

(1) **Background**

The University of Wisconsin Oshkosh prioritizes safety and strives to provide a safe learning environment for everyone. Children come into contact with the University of Wisconsin Oshkosh through various programs, camps, and events.

On December 19, 2011, the Governor signed Executive Order #54, which provides:

> All University of Wisconsin System (UWS) professors, administrators, coaches, and other UWS employees shall report child abuse or neglect immediately if the employee, in the course of employment, observes an incident or threat of child abuse or neglect, or learns of an incident or threat of child abuse or neglect, and the employee has reasonable cause to believe that child abuse or neglect has occurred or will occur.

(2) **Definitions**

(a) “Abuse” of a child includes any of the following:

1. Physical injury inflicted on a child by other than accidental means. *(Reference: Secs. 48.02(1)(a), Wis. Stats.)* “Physical injury” includes but is not limited to lacerations, fractured bones, burns, internal injuries, severe or frequent bruising or great bodily harm. *(Reference: Secs. 48.02(14g) and 939.22(14), Wis. Stats.)*

2. Sexual intercourse or sexual contact with a child under the age of 16 or with a 16 or 17 year-old child without his or her consent. *(Reference: Sec. 48.02(1)(b), Wis. Stats.)*

3. Sexual exploitation of a child. Sexual exploitation of a child occurs when a person employs, uses, persuades, induces, entices, or coerces any child to engage in sexually explicit conduct for the purpose of recording or displaying the conduct or records or displays a child engaged in sexually explicit conduct. Sexual exploitation of a child also occurs when a person produces, performs in, profits from, promotes, imports into the state, reproduces, advertises, sells, distributes, or possesses with intent to sell or distribute, any recording of a child engaging in sexually explicit conduct. *(Reference: Secs. 48.02(1)(c) and 948.05, Wis. Stats.)*

4. Permitting, allowing or encouraging a child to violate the statute prohibiting prostitution. *(Reference: Secs. 48.02(1)(d) and 944.30, Wis. Stats.)*

5. Causing a child to view or listen to sexual activity for purposes of sexual arousal or sexual gratification. *(Reference: Secs. 48.02(1)(e) and 948.055, Wis. Stats.)*

6. Exposing genitals or pubic area to a child or exposing a child’s genitals or pubic area for purposes of sexual arousal or sexual gratification. *(Reference: Secs. 48.02(1)(f) and 948.10, Wis. Stats.)*

7. Manufacturing methamphetamine with a child present, or in a child’s home (including the premises of a child’s home or in a motor vehicle located on the premises of a child’s home), or under any other circumstances in which a reasonable person should have known that the manufacture would be seen, smelled, or heard by a child. *(Reference: Secs. 48.02(1)(g) and 961.41(1)(e), Wis. Stats.)*

8. Emotional damage for which the child’s parent, guardian or legal custodian has neglected, refused or been unable for reasons other than poverty to obtain the necessary treatment or to take steps to ameliorate the symptoms. *(Reference: Secs. 48.02(1)(gm), Wis. Stats.)* “Emotional damage” is defined as harm to a child’s psychological or intellectual functioning and is evidenced by one or more of the following characteristics exhibited to a severe degree: anxiety, depression, withdrawal; outward aggressive behavior; or a substantial and observable change in behavior, emotional response or cognition that is not within the
normal range for the child’s age and stage of development. {Reference: Secs. 48.02(1)(5j), Wis. Stats.}

(b) “Child” is a person who is less than 18 years of age. {Reference: Sec. 48.02(2), Wis. Stats.}

(c) “Employee” is any UW Oshkosh employee.

(d) “Neglect” is failure, refusal or inability on the part of a caregiver, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of the child. {Reference: Sec. 48.02(12g), Wis. Stats.}

(3) Reporting Requirements

(a) Executive Order #54 requires that University of Wisconsin Oshkosh employees make a report of child abuse or neglect immediately if, in the course of employment, a UW Oshkosh employee observes an incident or threat of child abuse or neglect, or learns of an incident or threat of child abuse or neglect, and the employee has reasonable cause to believe that child abuse or neglect has occurred or will occur. {Reference: Executive Order #54, par. 1.}

(b) This policy hereby establishes the requirements that volunteers and contractors performing services for UW Oshkosh abide by the same reporting obligations as employees (as stated in Section 3.A, immediately above) to the maximum extent feasible.

(c) Collecting additional information that is readily available (such as talking to coworkers who also interact with that child) or verifying that the information learned meets the criteria for reporting may be appropriate, but any such action must be conducted promptly. Those who are required to report should not delay making a report in order to gather evidence; the agency receiving the report will determine whether such an investigation is warranted. It is the policy of UW Oshkosh that all individuals subject to the reporting requirement should first discuss the matter with their immediate supervisor or the coordinator of the activity or event associated with the matter being reported. These issues should be discussed with the appropriate administrative and managerial leaders, up to the level of the Vice Chancellor, or equivalent position, at the University of Wisconsin Oshkosh. These discussions must take place immediately so an individual is not delayed in making a report; an individual may not delay making a report on the basis that his/her immediate supervisor or the coordinator of the activity or event is unavailable.

(d) A report must be made personally or by telephone to the county department of social services or the county department of human services, or to law enforcement (county sheriff or the city, village, town, or university police department). Inquiries may be presented to the Department of Human Services for Winnebago County, 220 Washington Avenue, P.O. Box 2187, Oshkosh, WI 54903-2187; telephone: (920) 236-4600; website: http://www.co.winnebago.wi.us/human-services.

Please note: Direct contact for Child Abuse and Neglect Reporting: (920) 236-4615. Additional contact information:

1. UW Oshkosh Police Department: emergency (920) 424-1212; non-emergency (920) 424-1216

2. City of Oshkosh Police Department: emergency 911; non-emergency (920) 236-5700.

3. Winnebago County Sheriff: emergency 911; non-emergency (920) 236-7300.

(e) Executive Order #54 does not specifically address whether an employee must report information learned about an adult who was the victim of childhood abuse or neglect. Because making such a report may raise issues relating to state and federal law and professional codes of ethics, before making any report involving an adult who was the victim of child abuse or neglect, reporting individuals or the appropriate supervisors at UW Oshkosh may discuss these requirements with the Office of General Counsel at the University of Wisconsin System at (608) 262-2995.

(f) Child abuse or neglect involving UW Oshkosh includes:
1. An allegation against a UW Oshkosh employee, student, agent, volunteer, or contractor, or
2. The suspected child abuse or neglect occurred in or at UW Oshkosh facilities or on UW Oshkosh land, or
3. The suspected child abuse or neglect occurred during or in connection with a UW Oshkosh sponsored activity.

4. Note: If the reported abuse or neglect involves UW Oshkosh, then it must also be reported to a Dean, Director, Division Head, or the Office of Equity and Diversity Services (or other appropriate office). Any employee must discuss and may request assistance from his or her supervisor in making this report. The Dean, Director, or Division Head must report the abuse to the UW Oshkosh police department, if it involves potential criminal conduct, and the Office of Equity and Affirmative Action, if it involves any potential sexual misconduct.

Since applicable laws and policies can pose difficult questions or interpretation, the appropriate supervisory or managerial personnel at UW Oshkosh may discuss the allegation with legal counsel. For more information, please contact the Office of General Counsel at the University of Wisconsin System at (608) 262-2995.

(g) A UW Oshkosh employee who is a mandatory reporter by profession under Wis. Stat. § 48.981(2), e.g., health practitioner, social worker, law enforcement officer, child care provider, must continue to comply with the state mandatory reporter law requirements.

(h) UW Oshkosh employees shall share information regarding suspected child abuse or neglect with their supervisor and this information may only be shared additionally with appropriate individuals, such as the agencies to whom reports are to be made, appropriate University officials, and co-workers when the employee is promptly seeking additional information for a report. Beyond appropriate disclosures, employees should treat the information as sensitive and confidential.

(i) Appropriate university supervisory personnel with questions regarding the applicability of these requirements to a particular individual or situation should contact the Office of General Counsel at the University of Wisconsin System at (608) 262-2995.

(4) Policy Implications and Consequences

(a) No UW Oshkosh employee making a report of child abuse or neglect in good faith may be discharged from employment, disciplined or otherwise discriminated against in regard to employment, or threatened with any such treatment because that employee made a report in good faith.

(b) These reporting requirements are mandatory, and are not optional. Any UW Oshkosh employee who fails to report suspected child abuse or neglect in violation of this policy is in violation of this requirement and may also be found to be in violation of other applicable and related work rules. Those who fail to comply with this reporting requirement may be subject to disciplinary action up to and including termination of employment.

(5) Responsibilities of UW Oshkosh

(a) Criminal background checks will be performed pursuant to the background check policies for UW Oshkosh, and must be conducted on employees, volunteers, and contractors who have regular contact with children in the course of performing duties or services for UW Oshkosh or in connection with a UW Oshkosh sponsored activity.

(b) All contractual arrangements must require the contractor to supply employees that have passed criminal background checks, if such employees will have regular contact with children.

(c) To the maximum extent feasible, UW Oshkosh will include, in all written contracts for the provision of services by independent contractors, an obligation to report incidents of child abuse and neglect. Whenever possible, written contracts shall include the following provision (or alternative language as approved by legal counsel):

If, in the course of providing services to UW Oshkosh, contractor (or its agent or employee) observes an incident of child abuse or neglect, or learns of an incident of child abuse
or neglect and the contractor (or its agent or employee) has reasonable cause to believe
that child abuse or neglect has occurred or will occur, contractor (or its agent or employ-
ee) must make a report of that child abuse or neglect to law enforcement or to a county
social service agency as provided in UW Oshkosh’s Policy on Mandatory Reporting of
Child Abuse and Neglect. If the suspected child abuse or neglect involves UW Oshkosh
(See Section 3.F. of UW Oshkosh’s Policy on Mandatory Reporting of Child Abuse and
Neglect), the contractor (or its agent or employee) shall also report that abuse to the UW
Oshkosh Office of Equity and Affirmative Action.

(d) UW Oshkosh employees and volunteers will receive training or education on the subject of
child abuse and neglect; this training or education may differ depending upon (1) the type and
degree of contact the individual may have with children on campus or (2) other training or ed-
ucation regarding mandatory reporting an individual might receive due to his or her profes-
sion.

(e) UW Oshkosh employees and volunteers will be informed through handbooks, institutional
websites, or other appropriate means about:
1. Executive Order # 54;
2. Institutional policies and procedures;
3. Contact information for the local county department of human services and local law en-
forcement.

(f) UW Oshkosh will provide and/or post information in appropriate areas to notify children who to
contact if they are a victim of child abuse or neglect.

(g) All documentation related to a UW Oshkosh employee or volunteer report of child abuse or
neglect will be filed, stored and maintained in a secure location maintained by the Office of
Equity and Affirmative Action.

GEN 1.3. Computing and Data Policies.
GEN 1.3.(1). Acceptable Use of Computing Resources Policy. (Effective April 15, 1996)
The University values openness and promotes access to a wide range of information. Campus infor-
mation systems have been designed to be as open as possible, and as such the University insists on
responsible use of these systems.

The use of computers, electronic information and computer networks is essential for research, instruc-
tion and administration within the academic community. Because the electronic environment is easily
disrupted and electronic information is readily reproduced, respect for the work and rights of others is
especially important.

Users of the University's facilities are expected to adhere to this policy and, by accessing the system,
the user agrees to comply with and be subject to this policy. These policy statements are intended to
augment, not supersede, any additional contractual agreements of conduct or confidentiality to which
a user may be subject. The University reserves the right to amend this policy at any time with or with-
out notice. Questions or comments regarding this document should be addressed to the Director of
Information Systems and Technologies.

(1) User Responsibilities.

Access to University computing and networking resources is a privilege which is available to
all members of the academic community. Certain responsibilities accompany that privilege.
Understanding them is important for all computer users. The framework of responsible, con-
siderate, and ethical behavior expected by the University extends to coverage of the use of all
campus computers, campus network resources, and networks throughout the world to which
the University provides computer access.

The user is responsible for the correct use of the tools each computer system provides for
maintaining the security of stored information. A summary of the security procedures relevant
to this end is given below:
(a) Computer accounts, passwords, lab access cards, and other types of authorization are assigned to individual users and should not be shared with others unless specifically authorized by proper University officials. The person to whom an authorization is assigned will be held accountable for any activity originating from that account.

(b) The user should select an obscure password and change it frequently.

(c) The user should seek to understand the level of protection each computer system automatically applies to files and supplement that protection, if necessary, for sensitive information.

(d) It is incumbent upon every user to adhere to security policies and procedures and to call to the attention of Information Systems and Technologies those whom they feel are violating these procedures. Every effort will be made to ensure total anonymity.

(e) If a user should encounter or observe a flaw in system or network security, this discrepancy must be reported to Information Systems and Technologies. Individuals must refrain from exploiting any such lapse in security.

(f) The computer user should be aware of computer viruses and other destructive computer programs, and take steps to avoid being either their victim or propagator.

(2) Confidentiality.

In general, information stored on computers is considered confidential, whether protected by the computer system or not, unless the owner intentionally makes that information available to other groups or individuals. The University of Wisconsin Oshkosh takes the position that computer users wish the information they store on central and campus shared computing resources to remain confidential.

Users should be aware that data (including e-mail) may, due to software or hardware failure, become accessible to those who are not explicitly authorized for that access. Systems management personnel may also on occasion have access to such data while performing routine operations or pursuing apparent systems or user problems. Systems personnel are required to report apparent improper or illegal activities so discovered. No guarantee of complete privacy is made or implied by this policy.

Requests for the disclosure of confidential information will be governed by the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) and the Wisconsin Open Records Statutes (Chapter 19, ss. 19.31 - 19.39, Laws of 1992). All such requests will be honored only when approved by University officials who are the legal custodians of the information requested, or when required by state or federal law, or court order. Users found to be copying, modifying, or otherwise accessing information for which they have not been granted permission will be liable to disciplinary action.

The University also reserves the right to access, monitor, and/or appropriate an individual’s workstation or user account(s) for content when there are urgent and compelling circumstances such as the following:

(a) a court order

(b) a request for discovery in the course of litigation

(c) a public record request for files which are deemed public records under public records laws

(d) investigating University policy violations or illegal activities

(e) sudden death or incapacity of the employee

Supervisors must report urgent/compelling circumstances that warrant exceptional actions through their Director, Assistant/Associate Vice Chancellor, or Dean to their Division Vice Chancellor. The Division Vice Chancellor will consult with the Director of Human Resources and the Chief Information Officer to determine an appropriate and feasible course of action. If the course of action involves accessing, monitoring, or appropriating an individual’s workstation or use account(s), a good faith effort will be made to inform the individual unless the
University is bound by legal authority not to inform the individual.

(3) Inappropriate Usage.

Users must be sensitive to the public nature of shared facilities. Behavior reflects both upon the individual and the University. Computing and networking resources should be used only in accordance with this policy. Any intentional behavior with respect to the electronic environment that interferes with the missions or activities of the University or members of the University community will be regarded as unethical and may lead to disciplinary action under standard University rules for misconduct and existing judicial, disciplinary or personnel processes. The University complies with the Digital Millennium Copyright Act (1998). The University may terminate network access or take other disciplinary measures deemed appropriate against those who repeatedly infringe the copyright of others. Examples of inappropriate and unacceptable use of computing and networking resources include, but are not limited to, the following:

(a) Destruction of, unauthorized removal of, or damage to equipment, software, or data belonging to the University of Wisconsin Oshkosh or other users.

(b) Disruption or unauthorized monitoring of electronic communications. Tampering, modification, or additions to network software, hardware, or wiring.

(c) Generation of excessive network traffic exceeding levels which create errors or performance problems for all users. Applications or computer hardware found to cause such problems may be moved to a different location or removed from the network, at the discretion of the network management staff.

(d) Willful violations of computer system security.

(e) Use of e-mail or messaging services to harass, intimidate, or otherwise annoy another person, for example, by broadcasting unsolicited messages or sending unwanted mail. Some mass mailings may be authorized by appropriate University authority. This would also apply to material originating from this campus but sent to other sites or persons on the Internet.

(f) Use of computer accounts, access codes, or network identification numbers other than those assigned to you. Disguising or falsifying sources of electronic mail and other electronic communications with the intent of misleading, defrauding, or harassing others.

(g) Use of computer and/or network facilities in ways that impede the computing activities of others (for example, randomly initiating interactive electronic communications or e-mail exchanges, overuse of interactive network utilities, playing games on shared resources, or the overuse of network-accessible discussion lists or file-transfer sites).

(h) Setting up network servers or network services (such as naming and/or address servers, Web servers, dial-in access, file servers, etc.) without the prior authorization of the network management staff. Unauthorized activity of this type may be detrimental to the overall operation of the network and is not allowed.

(i) Intentionally creating, displaying, printing or transmitting information which violates the University's sexual harassment policy.

(j) Use of computing facilities for financial gain or commercial purposes unrelated to the mission of the University.

(k) Violation of software copyrights and usage licensing agreements. Violation of other copyrighted items such as icons, images, music, programs, text, etc.

(l) Failure to properly attribute legitimately copied material.

(m) Violation of the usage policies and regulations of the networks of which the University of Wisconsin Oshkosh is a member or has authority to use.

(n) Academic dishonesty (for example, plagiarism or cheating).

(4) Sanction and Appeal Process.
Violation of the policies described herein for use of computing resources will be dealt with seriously. Violators are subject to disciplinary procedures of the University, may lose computing privileges or account and network access, and may also be subject to prosecution by state and federal authorities under laws including, but not limited to: The Privacy and Protection Act of 1974; Wisconsin Statutes 1992-93, (41st Edition) (Chapter 19, Public Records and Property, ss. 19.31 - 19.39; Chapter 939, Crimes - General Provisions, ss. 939.32(2), 939.50(3), 939.51(3), 939.66(4), 939.72(3); Chapter 943, Crimes Against Property, ss. 943.70); The Wisconsin Computer Crimes Act; The 1986 Electronic Communications Privacy Act; The Computer Fraud and Abuse Act of 1989. The sanction and appeal process will vary, depending upon the classification of the offender within the University community. Suggested courses of action are described by, but are not limited to:

(a) Student - Wisconsin Administrative Code, Section UWS 14 and UWS 17. These regulations are also maintained in a separate document entitled Student Discipline Code, which is available in the Dean of Student's Office.

(b) Classified Staff - Administered by the Human Resources Office, pursuant to the current University of Wisconsin System Classified Employees Work Rules; Chapter 230.34(1) of Wisconsin Statutes; Section Pers 24 of Wisconsin Administrative Code; and existing collective bargaining agreements.

(c) Academic Staff / Faculty - The University of Wisconsin Oshkosh Faculty and Academic Staff Handbook and specific departmental procedures, as warranted.

(d) Other - Subject to the procedures of the organization or group with which they are affiliated, revocation of computing privileges, and possible state and federal prosecution.

(5) Web Policy and Procedures

What is the World Wide Web? The Web or World Wide Web (WWW) is an information system running over the Internet. It provides information electronically through the use of hypertext. A variety of multimedia techniques make it easy to roam, browse, and contribute to the Web.

(a) Information placed on the Web is formatted using HyperText Markup Language (HTML). The approved UW Oshkosh standard is HTML 3.2 or greater, defined in http://www.w3.org/TR/REC-html32.html HTML documents have an extension of .html or .htm.

(b) Graphics included in Web pages are usually in a Graphics Image Format (.gif) or Joint Photographic Experts Group (.jpg).

(c) HTML documents will look different depending on what browser is used to access the Web. Browsers are the software programs that allow people to view Web documents. Common browsers are Netscape, Internet Explorer, and Lynx (a text-only browser).

(d) Universal Resource Locators (URLs) are the detailed names used to access information. For example, http://www.uwosh.edu/ is the URL for the University of Wisconsin Oshkosh home page.

Types of Browsers

The University recognizes that external Web users seeking to access the University's Web pages may be using other browsers. Web page authors are urged to keep this fact in mind when creating Web pages. Likewise, users creating PDF (Portable Document Format) files should consider creating duplicate versions in a Web standard format (such as .txt, .html, or .htm) for readers who are incapable of reading PDF files.

Acceptable Use Policy

Access to University computing and networking resources is a privilege available to all members of the University community. Certain responsibilities accompany that privilege. The University of Wisconsin Oshkosh Statement of Acceptable Use of Computing Resources can be viewed at http://www.acs.uwosh.edu/documentation/acceptable-use.html

Definitions
(a) Official Page - An official page speaks for the University of Wisconsin Oshkosh and its programs and departments. Official pages represent colleges, departments and other University offices and programs. They include information such as University and department policies, forms, course information, institutional statistics, financial aid information, and recruitment information.

(b) Personal Page - A personal page is one created by individual faculty, staff and students. Personal pages can be linked from departmental and program pages, but only with the approval of those in charge of those pages.

Standards for Web Pages

(a) All web publishers, whether they are publishing official or personal (see definitions above) pages, are responsible for the contents of their pages. They must adhere to the Acceptable Use Policy. University resources may not be used to distribute Web pages for personal business or gain.

(b) UW Oshkosh will not edit or review personal home pages. The University does not accept responsibility for the contents of these pages; page-authors are responsible for the contents. However, if a violation of University policies on personal pages linked from the UW Oshkosh Web is discovered, the University will remove the link. Those responsible for department and program home pages on the UW Oshkosh Web must make sure that personal and other pages they link to do not violate University policies and local, state and federal laws.

(c) The Acceptable Use Policy and laws regarding publishing and copyright apply to all pages.

(d) All official pages must be approved by University Relations or an individual designated by that division.

(e) There will be no effort to curtail the creative and experimental efforts of departments and programs that publish an official Web page. Any review is intended to ensure that all official information is accurate, is consistent with University policies and local, state and federal laws, and supports the University's goals in education, research and community service. This includes links to other pages. An official page may be considered in violation if it contains links to a page that violates this policy.

(f) Institutional departments and offices are encouraged to develop distinctive and creative Web pages. The image and reputation of UW Oshkosh will in part be determined by our presence on the Web, and that presence should embody the elements of our University. Review of official pages by University Relations will seek to ensure that factual information is presented in a way that is easily accessible. University Relations will encourage publishers to develop UW Oshkosh pages that are visually appealing and well written.

Minimum Standards for Web Pages

The following minimum standards apply to all pages:

(a) Documents and graphics should be clear. Page designs should emphasize brevity and judicious use of graphics in order to encourage the use of UW Oshkosh web pages and help people find the information they are seeking.

   1. Loading of the page should be completed in a reasonable amount of time. A delay can discourage viewing of the page.

   2. Large graphics delay viewing and should be avoided.

   3. Each page should be written so that it can be understood out of context.

(b) All documents must be accurate. Departments and offices displaying official information on such things as enrollments and courses must link to data provided by offices that are responsible for keeping such information. They should not create new documents with the same information.

(c) All documents should have correct grammar and punctuation.
(d) Acronyms should not be used as a first reference.
(e) All references to institutional units, departments, buildings should use the names found in the University phone book.
(f) The name of the department/program must appear at the top of each page.
(g) Official University pages should have a direct reference to UW Oshkosh.
(h) Each page must provide a way of contacting the person responsible for maintaining the page (for example, phone number or e-mail address) and the date of the last revision. All files should be updated regularly, where appropriate. Outdated information should be replaced or removed.
(i) Page publishers must obtain the express written permission of those owning an image or photo, and all those pictured in an image or photo, used in a page.
(j) Publishers must obtain the express written permission of the person or organization that owns a trademark that is used on a page. Publishers must also obtain the express written permission of persons or organizations owning the copyright of any material that is used on a page.
(k) Each page must have a link back to the UW Oshkosh Home Page (http://www.uwosh.edu/).
(l) All pages must meet the W3C (World Wide Web Consortium) Content Accessibility Guidelines, Priority 1 Levels (http://www.w3.org/TR/WCAG/)

**CGI Scripts**

CGI (Common Gateway Interface) scripts allow the author of a web page to receive input from a viewer of the page, manipulate the data passed in, and pass back a customized response. Examples of some applications driven by CGI scripts are counters, feedback forms, guestbooks, database queries, clickable image maps, and mail list maintenance.

CGI scripts must be approved and will be installed in a system directory. Departmental, personal, and organizational directories will not be allowed to act as CGI directories. To add a new script to the server, source code must be provided, and the technical and/or security administrator will evaluate the source, compile and install the script.

**Approvals**

All official University of Wisconsin Oshkosh Web pages must be reviewed and approved by University Relations or someone designated by that division. Specific information that is published on Web pages must be reviewed and approved by the department responsible for that data. For example, financial aid information must be reviewed by the Financial Aid office and registration information would need to be reviewed by the Registrar’s office.

**Steps for Submitting**

(a) Submitter must have the page already loaded on the server.
(b) Submitter should follow instructions to scan their Web page.
(c) Once the page adheres to this policy, submitter should send an e-mail message to webmaster@uwosh.edu requesting that a link be made to the page.
(d) University Relations will review the page. The submitter will then receive notification that the link has been made or an explanation of what needs to be changed before a link will be made.

**Other Servers**

Approval from the Information Technology Division is required for departments to set up their own Web servers. Those departments interested in setting up departmental Web servers should contact the Director of Academic Computing. The UW Oshkosh home page will maintain links to official pages only.
**Disk Space**

Standard amounts of disk space will be allocated to official pages and personal pages. Departments requiring large amounts of disk space may be required to purchase their own Web server.

*Revised April 5, 1999*
*Revised May 23, 2001*
*Revised Spring 2007*

**GEN 1.3.(2). Data Access and Data Security Policy.**

(1) **Policy.**

This policy secures and protects operational data (defined below) stored on and accessible by University-owned computing systems and used by University employees and students in support of the educational mission of the University. In so doing, it ensures that:

(a) The University is able to meet its record-keeping and reporting obligations as required by state and federal law, the Board of Regents, and UW System Administration;

(b) The University is able to comply with the Family Educational Rights and Privacy Act of 1974 (FERPA, or the Buckley Amendment) and other statutes and policies protecting the rights of individuals;

(c) The University is able to comply with the Wisconsin Public Records Statutes and other laws and policies providing for access to data;

(d) University data integrity and accuracy are consistently maintained;

(e) Authorized individuals are assured of timely and reliable access to necessary data; and

(f) Unauthorized individuals are denied access to computing resources or other means to retrieve, modify or transfer data.

This policy also addresses the issue of the rights and responsibilities of authorized persons in the handling, security and protection of University data. In view of the fact that security measures may introduce additional overhead in terms of time and effort, the objective of this policy is to ensure secure data while minimizing impediments to their access.

The Chief Information Officer for Information Technology (IT) is responsible for the implementation of this policy.

(2) **Scope.**

The policies and guidelines established herein govern the management and accessibility of University operational data regardless of the environment in which they reside. The term 'operational data' is meant to encompass only those data which are necessary for the daily execution of the University's mission. This may include, but is not restricted to, administrative data, student and payroll records, personnel records, and accounting information. The environment in which these data are found may include, but are not limited to, the central mainframe, campus network servers, personal computers, and any other medium (printouts, screen dumps, microfiche, etc.).

This policy applies to all employees of the University, students, alumni, and authorized persons with interests in specialized segments of the University, such as Institutional Research, University Facilities, Employee/Student/Alumni data, or Education/Instruction.

(3) **Data Ownership and Accountability.**

(a) The University of Wisconsin Oshkosh.

The University of Wisconsin Oshkosh retains the exclusive right and use of all computer assets, including data. Within this context, it is considered the Legal Custodian of all University data.

(b) Specific Roles.
A list of current appointees to those positions referenced in the following sections are available online or from the IT Office.

1. Legal Custodian.

An administrative officer within the University, given responsibility by the Chancellor, according to state statutes, for managing specific information resources within a functional area.

Pursuant to c. 19.33(4), Wisconsin Statutes, and in accordance with the Wisconsin Public Records Statutes, the Chancellor must designate Legal Custodians of specific records. These individuals perform in a supervisory or managerial capacity and are responsible for the data residing in a designated system.

In addition to those duties defined by the relevant statutes, additional University responsibilities of the Legal Custodian may include:

a. Overseeing the creation and disposition of the data records for which he/she has been assigned responsibility;

b. Determining what data are appropriate for distribution and update;

c. Determining the validity of all requests for access to, and update capability for, area-specific data or applications;

d. Periodically reviewing the current set of access capabilities granted to all individuals on the system to ensure that the status is current and accurate; and

e. Overseeing the activities of all Data Stewards assigned to their functional area.

2. Data Steward.

An individual appointed by a Legal Custodian to manage a subset of the data designated as being within the area of responsibility of that Custodian. A Data Steward is the person primarily responsible for the accuracy, privacy, and integrity of University data. All University data must have an identified Data Steward.

In support of the Legal Custodian, responsibility for managing specific categories of data is assigned to Data Stewards. With regard to data access and security, these Data Stewards have the authority and responsibility to:

a. Assist the Legal Custodian with evaluation and approval of requests for access to records, in accordance with the Wisconsin Public Records Law and the Buckley Amendment;

b. Define and approve the degree and nature of access to their data;

c. Coordinate with the IT Office for adequate backup of data; and

d. Coordinate the creation and purging of data in a manner consistent with current record-keeping policies and regulations.

3. Data Security Officer.

The Data Security Officer has responsibility for implementing, monitoring, and coordinating the standards, procedures, and guidelines necessary to administer access to University data.

Specifically, the Security Officer has the responsibilities to:

a. Install, maintain, and operate data security software;

b. Maintain records indicating the identity of each Data Steward who has the responsibility for granting user access to data and the scope of his/her granting authority;

c. Implement the control of user access to University data, as determined by Data Stewards or Legal Custodians;
d. Review data security procedures within individual units as needed, disseminating information regarding access requests, security awareness, passwords, virus protection, and the reporting of security violations;

e. Create and maintain policy regarding the responsible usage of computing resources and outline the proper conduct expected of all data users;

f. Maintain current data access authorization records. This will entail the creation of new records in response to valid requests for data access, the removal of records for users transferring to another functional unit or leaving the University, and the modification of existing records to accommodate a name change or additional job requirements;

g. Establish and monitor system activity accounting and audit trail records in a manner consistent with University and Internet guidelines; and

h. Serve as de facto Data Steward for data items not assigned to other stewards, until such time as an individual can be permanently designated.

4. Database Administrator.

The Database Administrator (DBA) has responsibility for the management of and implementation of access to all data contained within the University database management system. The DBA is to act as the administrator of the information resource in accordance with established policies and procedures, but will in no sense dictate the usage of University data, nor determine individual access rights to data elements, records, or files contained within the database. This will remain the responsibility of the Data Stewards.

5. Data User.

A Data User is any individual requiring access to University data in the course of meeting the requirements of his/her position or an educational curriculum. All departmental units and individuals have the responsibility to ensure the following:

a. Privacy and confidentiality of data are maintained in a manner consistent with the laws and regulations relating to those data;

b. Every effort is made to assure and maintain the accuracy of data;

c. Data are correctly and appropriately used as defined by, but not limited to, applicable state and federal law. Sanctions for the inappropriate use of data are also defined by these regulations;

d. Data security is not compromised by the sharing of user access IDs or passwords;

e. Proper records management disposal methods are used when data are considered no longer valid or useful; and

f. Online conduct and utilization of computing resources is consistent with the guidelines set forth in the University of Wisconsin Oshkosh Acceptable Use of Computing Resources Policy.

Several departments operate turnkey, third-party, in-house-developed systems on individual PCs, local area networks or other hardware. The departments have complete responsibility for these systems, to include the above plus:

a. Securing computing resources, computer rooms, department office areas, and other work areas; and

b. Establishing policies, procedures, and standards for security and maintenance of software and data, such as backup policies and procedures.

(4) Proper Management of Data.

(a) Data Capture.
1. The Legal Custodian is responsible for complete, accurate, valid, and timely data capture. These responsibilities may be delegated to Data Stewards.

2. Electronic data should be captured at or near their creation points, as identified by the Legal Custodian.

(b) Data Storage.

1. An official data storage location for each data element should be identified by the Legal Custodian.

2. Data element names, formats, and values should be consistent with University standards.

3. Archiving requirements and strategies for storing historical data should be determined by the Legal Custodian, in coordination with the IT Office.

(c) Data Validation and Correction.

1. The accuracy of any data element may be questioned by any authorized data user. The data user has the responsibility to help correct the perceived problem by supplying as much detailed information regarding correct usage of the data as is possible.

2. The Legal Custodian or delegated Data Steward is responsible for responding to questions and correcting verified inconsistencies in data elements.

3. Upon written identification and notification of erroneous data, corrective measures should be taken as soon as possible to correct the cause of the error; correct the data in the official data storage location, and notify users who have received or accessed erroneous data, of the changes.

(d) Data Accessibility.

Legal Custodians are responsible for providing accessible, meaningful, and timely University data. This activity may be assigned to Data Stewards or other University officials, within the confines of predefined authorization guidelines.

Accessibility to University data may be considered any of the following:

1. Hard copy reports issued by various administrative offices;

2. Access through the University communications infrastructure; and

3. Data downloaded and accessed from a unit/departmental computer or downloaded to an individual user's personal computer. If University data are downloaded to a college or department, the responsibility for implementing, monitoring, and enforcing University data access and resource usage policies shall reside with the College Dean or Departmental Chair authorized to receive the data.

(e) Data Security.

1. All University data should be secured, with access granted to a data user on a "need-to-know" basis, and within the confines of predefined access guidelines and security requirements. The Legal Custodian, through the Data Stewards, has the ultimate responsibility for determining security requirements and access authorization.

2. All users of University data must be cognizant of the level of access they have been provided, and of their responsibility to maintain the inherent privacy and integrity of those data. Effective data security is not possible without the cooperation of users who understand the reasons for data security and comply with established security measures.

(f) Data Disposal.

1. The Legal Custodian is responsible for determining what data within the functional area are to be retained and for how long. This authority may be delegated to a Data Steward.
2. At the point at which data are considered no longer useful or legally required, they must be removed from general access in a manner consistent with their content and medium. Disk-based datasets may be archived to tape and moved off-site or deleted. Tapes may be erased and reused or permanently archived. Reports and printouts may be recycled as is, or shredded prior to disposal, depending on legal or institutional requirements.

3. Users are responsible for the proper disposal of data residing on individual personal computers.

(g) Data Documentation.

Documentation of data elements is the ultimate responsibility of the Legal Custodian. This information should be provided to the IT Office, which will oversee its archival and general availability. All data documentation so gathered will be maintained in machine-readable format in a University Data Dictionary. In essence, IT is the Data Steward for the University Data Dictionary.

(h) Data Disputes.

Due to the common occurrence of some data elements within several University systems, questions may arise as to the precedence of ownership or responsibility for those data elements. A typical example might be a social security number, which is frequently used by Enrollment Management, Human Resources, Financial Aids, and others. In this instance, the data element may be considered to have more than one Data Steward. If the Data Stewards are unable to arrive at a consensus as to the appropriate use of a data element, a meeting of the responsible parties will be convened by a designated representative of the IT Office in an effort to resolve the data dispute.

(5) Procedures.

In the course of creating and administering controlled access to University data, various procedures must be defined and formalized. These procedures, listed below, with an accompanying explanatory cover page and their relevant forms, are available from the IT Office.

(a) Requesting Authorization for Data Access.

(b) Modifying Existing Data Access Authorization.

(c) Managing Systems for Employee Turnover.

(d) Reporting Breaches of Data Security.

(e) Requesting Computer System Activity Information.

(f) Providing sanctions for Unauthorized Data Access or Disclosure.

GEN 1.3.(3). Student Email Policy.

(1) Introduction.

Email is considered an official method for communicating with University of Wisconsin Oshkosh students because it delivers information in a convenient, timely, cost effective, and environmentally aware manner. The University expects that email communications will be received and read by students in a timely fashion.

This policy establishes the University’s expectation that faculty and other University staff may routinely communicate important information to students using the University’s established email system.

(2) University Use of Email.

Email is an official method for communication at UW Oshkosh. The University may send communications to students via email. Students are responsible for the consequences of not reading in a timely fashion University-related communications sent to their official UW Oshkosh student email account.

(3) Student Email Accounts.
All students at UW Oshkosh are provided with an official UW Oshkosh student email account. This email account is the official email address to which the University will send email communications. This official email address will be recorded in the University’s electronic directories and records for that student.

(4) Expectations Regarding Student Use of Email.

Students are expected to check their UW Oshkosh official email account on a frequent and consistent basis in order to remain informed of University-related communications. The University recommends checking email at least twice per week. “I didn’t check my email,” errors in forwarding email, or email returned to the University with “mailbox full” or “user unknown” are not acceptable reasons for missing official University communications via email.

(5) Faculty/Instructional Academic Staff Expectations and Educational Uses of Class Email Lists.

Since faculty and instructional academic staff determine how email is used in their classes, they can require students to check their email on a specific or more frequent basis. Faculty and instructional academic staff messages sent to class email lists, including class lists in course management systems, are also considered official communication.

(6) Appropriate Use of Student Email.

In general, email is not appropriate for transmitting sensitive or confidential information unless it is matched by an appropriate level of security or permission. All use of email will be consistent with other University policies, including the UW Oshkosh Acceptable Use of Computing Resources Policy. All use of email will also be consistent with local, state, and federal law, including the Family Educational Rights and Privacy Act (FERPA).

(7) Redirecting Email.

Students may elect to redirect (autoforward) messages sent to their UW Oshkosh official student email account to a non-University account. Students who redirect email from their official account to a non-University account (such as AOL, Yahoo, Hotmail), however, do so at their own risk. Having email lost as a result of redirection does not absolve a student from the responsibilities associated with communication sent to her or his official email account. The University is not responsible for the handling of email by outside vendors or unofficial servers.

The University provides a WebMail system, through which students from off campus can access their official UW Oshkosh email account. Instructions for the use of WebMail are available at the UW Oshkosh web site.

Questions or comments about this policy should be directed to the Chief Information Officer.

GEN 1.3.(4). Address Policies.

Each member of the faculty and staff shall provide the University with a mailing address. Faculty and staff may specify how or whether their mailing address and any telephone number will be displayed in the University's published and on-line telephone directories. Faculty and staff may ask that their name and address not be included in mailing lists which may be provided to external agencies and vendors. Annual update of name, address, and telephone number is made through the Human Resources Office.

GEN 1.4. Alcohol, Drugs, and Smoking.

GEN 1.4.(1). Alcohol and Other Drug Abuse.

The University of Wisconsin Oshkosh recognizes that the abuse of alcohol and other drugs is of serious concern to the University community because it can interfere with the education of students and the job performance of employees. The University is committed to providing education about the responsible use of alcohol and about the misuse and abuse of alcohol and other drugs. This issue is of importance to all members of our community. All members of the University community are encouraged to become familiar with this information.

(1) Standards of Conduct and Sanctions.
(a) The University of Wisconsin Oshkosh Standards of Conduct.

The University of Wisconsin System and the University of Wisconsin Oshkosh prohibit the unlawful possession, use, distribution, manufacture, or dispensing of illicit drugs and alcohol by students and employees on University property or as part of University activities.

The use or possession of alcoholic beverages is prohibited on University premises, except in faculty and staff housing and as expressly permitted by the chief administrative officer or under institutional regulations, in accordance with section UWS 18.06(13)(a), Wis. Adm. Code. [See also Gen 1.4(2): Alcoholic Beverages, Possession and Consumption.]

Alcohol consumption is governed by Wisconsin statutory age restrictions under section UWS 18.06(13)(b), Wis. Adm. Code. [See also Gen 1.4(2): Alcoholic Beverages, Possession and Consumption.]

Violation of these provisions by a student may lead to the imposition of a disciplinary sanction, up to and including suspension or expulsion, under section UWS 17.03(1), Wis. Adm. Code. University employees are also subject to disciplinary sanctions for violation of these provisions occurring on University property or the worksite or during work time, up to and including termination from employment. Disciplinary sanctions are initiated and imposed in accordance with applicable procedural requirements and work rules, as set forth in Wisconsin Statutes, administrative rules, faculty and academic staff policies, and collective bargaining agreements. Referral for prosecution under criminal law is also possible. Further, violations of sections UWS 18.06(36) and 18.10, Wis. Adm. Code may result in additional penalties as allowed under ch. UWS 18, Wis. Adm. Code.

Employees who are convicted of any criminal drug statute violation occurring in the workplace must notify their Dean, Director, or Department Chair within five calendar days of the conviction if the employees were employed by the University at the time of the conviction.

(b) Legal Sanctions.

1. Wisconsin.

The laws of Wisconsin prohibit drug possession and delivery through the Uniform Controlled Substances Act, Wis. Stat. 161 [see Wis. Stat. 161.41(2r)(b), Wis. Stat. 161.41 and Wis Stat. 161.46(1)]. Substantial restrictions against alcohol abuse also exist in Wisconsin. It is against the law to sell alcohol to anyone who has not reached the legal drinking age of 21 and there is a concurrent duty on the part of an adult to prevent the illegal consumption of alcohol on his/her premises, Wis. Stat. 125.07(a)(1).

2. Federal.

See U.S. Sentencing Guidelines s. 2D2.1(b)(1).

(2) Resources for the Campus Community.

The University is dedicated to providing assistance and support to students, faculty, academic staff, and classified employees who abuse alcohol and other drugs as well as to supervisors, teaching faculty, and significant others who are affected by and need to confront alcohol and other drug abuse problems. Employees and students experiencing any concerns related to alcohol or other drug abuse are hereby urged to seek help through the appropriate University service or community resource.

(3) Program Review.

In accordance with The Drug-Free Schools and Campuses Act (1989), a biennial review of University programs will be conducted on even-numbered years by the Office of the Dean of Students.

GEN 1.4.(2). Alcoholic Beverages, Possession and Consumption.

The Vice Chancellor for Student Affairs is responsible for the administration and interpretation of regulations pertaining to the possession and consumption of alcoholic beverages on campus.

Wisconsin Administrative Code, Section UWS 18.06, “Conduct of University Lands” (13) ALCOHOL
BEVERAGES. The use or possession of intoxicating liquors, or fermented malt beverages with an alcoholic content of more than five percent by weight, is prohibited on all university lands, except in faculty and staff housing, in student housing units specifically designated by the chief administrative officer, and at suitable times under decorous conditions in conference, meeting or dining facilities, subject to statutory age regulations.

Fermented malt beverages with an alcoholic content of no more than five percent by volume may be served and sold by the Union Food Service at events scheduled outside the Union on campus where food is served or at special all-University events approved through the Union and Vice Chancellor for Student Affairs.

Alcoholic beverages with an alcoholic content of more than five percent by volume may be served at University receptions in the University art galleries, theater lounges, and other areas as approved by the Vice Chancellor for Student Affairs. The service guidelines within this procedure apply to all campus areas where alcoholic beverages are served.

A copy of the complete guidelines may be found in the Student Handbook.

GEN 1.4.(3). Smoking Policy.

(1) Introduction.

This policy is written to implement the provisions of Wisconsin's Clean Indoor Air Act, section 101.123 of the Wisconsin Statutes.

(2) Statement of Policy.

Recognizing the negative health impact of second-hand smoke, the University is continuously seeking ways to improve the University's environment by reducing or eliminating smoke from classroom and other work settings.

Smoking will be prohibited within:

(a) all buildings and vehicles owned or leased by the University;
(b) all sponsored outdoor seated events, including athletic events; and
(c) 25 feet from the perimeter of all University buildings.

Smoking is not allowed in University buildings except in designated areas where people may smoke indoors.

Recognizing the value of education, understanding, cooperation and collegial interaction, these standards will be implemented in an educational manner, with the overall effectiveness of these changes requiring the understanding, cooperation, and active support of all faculty, staff, students, and visitors to the campus.

(3) State law provides that willful violations of the Clean Indoor Air Act are subject to penalty. Additionally, since these regulations are established and promulgated as a matter of University policy, the University can use this policy as a basis for other discipline, as provided under the applicable disciplinary or complaint procedure.

All enforcement efforts shall utilize the existing channels of administrative authority.

(a) Student-related problems will be addressed through direct communication (e.g., student to student, faculty or staff to student, etc.) with additional review and possible disciplinary action through the processes found within Residence Life and the Dean of Students Office.

(b) Classified staff-related problems will be addressed through direct communication with additional review by the appropriate supervisors and possible disciplinary action through other established processes (e.g., for represented classified staff, through the relevant collective bargaining agreement).

(c) Academic staff-related problems will be addressed through direct communication with additional review by the appropriate supervisors and managers (up to the level of Vice Chancellor) and possible disciplinary action through the processes found in the Academic Staff Personnel Policies and Procedures.
(d) Faculty-related problems will be addressed through direct communication with additional review by appropriate departmental committees, the department chair, Dean, and Provost and Vice Chancellor and possible disciplinary action through the processes found in the Faculty Personnel Policies and Procedures.

This policy shall be implemented in a manner that takes into account the needs and interests of both smokers and non-smokers. The policy is promulgated with the hope and the expectation that enforcement will involve gentle persuasion, and frequent peer and co-worker interaction and discussion. In stating this policy, the University recognizes and encourages sensitivity to others, the need for tolerance, collegiality and mutual respect.

GEN 1.5. Research Policies.

GEN 1.5.(1). Research Participants Policy.

Definitions: Research means a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge.

A human subject/research participant is a living individual about whom an investigator (whether professional or student) conducts research, obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information.

The University has adopted policies and procedures that comply with the federal government regulations on the Protection of Human Subjects as stated in the Code of Federal Regulations (45 CFR 46). The University's Institutional Review Board for the Protection of Human Subjects (IRB) has the responsibility of implementing these policies and assisting investigators in ensuring that the rights and welfare of participants are adequately protected. The IRB shall review all research proposals that involve humans.

A "Use of Human Participants Application Form", which includes a description of the University's policies and procedures, can be obtained from the Office of Grants and Faculty Development and is also available online.

GEN 1.5.(2). Scientific Misconduct in Research Funded by the Federal Government.

(1) Introduction.

Recognizing that honesty in the conduct of academic research is fundamental to its integrity and credibility, and to the maintenance of public trust in the university, the University of Wisconsin Oshkosh adopts this statement of policy and procedures for reviewing and investigating allegations of scientific misconduct in research funded by the federal government. [Notes: (1) Reference: Title 42, Subchapter D, Part 50, Subpart A, Sec. 50.101-50.105, Code of Federal Regulations; Federal Register, Vol 54, No. 151, Tuesday, August 8, 1989. (2) Allegations of scientific misconduct not processed under these procedures shall be reviewed and processed under the appropriate faculty or academic staff personnel rules.]

(2) Definitions: "misconduct in science" means fabrication, falsification, plagiarism or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data. (Reference: 42 CFR Part 50, subsection 501.101.) Additionally, National Science Foundation regulations define misconduct as retaliation of any kind against a person who reported or provided information about suspected or alleged misconduct and who has not acted in bad faith. NSF-funded science education activity is included within this misconduct in science policy.

(3) Statement of Policy.

Misconduct in science is prohibited at the University of Wisconsin Oshkosh, and may be cause for discipline or dismissal. [The University of Wisconsin Oshkosh shall foster a research environment that discourages misconduct in all research and that deals forthrightly with possible misconduct associated with research for which federal funds have been provided or requested.]

(4) Statement of Assurances -- General Criteria.
Consistent with this policy, the University of Wisconsin Oshkosh hereby provides the following assurances.

(a) We have established, and will comply with, the following administrative process for reviewing, investigating, and reporting allegations of misconduct in science in connection with research funded by the federal government that is either conducted at this University or sponsored by this University.

(b) We will implement these policies and procedures, keep them current, and provide a copy to anyone who requests it.

(c) We will take immediate and appropriate action as soon as we are informed of an allegation or suspicion of misconduct in science by one of our employees or by other persons who are within our control.

(d) During the course of our investigation of possible misconduct, and as provided in the following procedures, we agree to inform and cooperate with the appropriate federal agency or agencies.

We also acknowledge that our failure to comply with these assurances and the requirements of federal regulations may result in enforcement action against the University, including loss of funding, and may lead to an investigation conducted by the appropriate federal agency.

(5) Procedures Establishing Specific Requirements for Inquiries, Investigations, and Reporting.

(a) Section 1. Inquiries into Possible Misconduct.

[Note: These procedures shall be implemented in a manner consistent with the protections afforded under section 230.80 et. seq. of the Wisconsin Statutes (the "Whistleblower law"). Retaliatory action is prohibited under section 230.83, Wis. Stats.]

1. Informal allegations or reports of possible misconduct in science shall be directed initially to the person with immediate responsibility for the work of the individual against whom the allegations or reports have been made. The person receiving such an informal report or allegation is responsible for either resolving the matter or encouraging the submission of a formal allegation or report.

2. Upon receipt of formal allegations or reports of scientific misconduct, the person with immediate responsibility for the work of the individual against whom the allegations or reports have been made shall immediately inform, in writing, the Provost and Vice Chancellor.

3. The Provost and Vice Chancellor shall appoint an individual or individuals to conduct a prompt inquiry into the allegations or report of misconduct.

a. The individual or individuals conducting the inquiry shall prepare a written report for the Provost and Vice Chancellor describing the evidence reviewed, summarizing relevant interviews and including the conclusions of the inquiry.

b. The inquiry must be completed within 60 calendar days of its initiation unless circumstances clearly warrant a longer period. If the inquiry takes longer than 60 calendar days to complete, the reasons for exceeding the 60-day period shall be documented and included with the record.

c. The individual against whom the allegations were made shall be given a copy of the report of the inquiry by the Provost and Vice Chancellor, and shall have an opportunity to respond to the report within 10 calendar days of receipt. Any response must be in writing, and will become a part of the record of the inquiry.

d. To protect the privacy and reputation of all individuals involved, including the individual in good faith reporting possible misconduct and the individual against whom the report is made, information concerning the initial report, the inquiry and any resulting investigation shall be kept confidential and shall be released only to those who have a legitimate need to know about the matter.

4. If the inquiry concludes that the allegation of misconduct is unsubstantiated, and an
investigation is not warranted, the reasons and supporting documentation for this conclusion shall be reported to the Provost and Vice Chancellor, who shall be responsible for reviewing the conclusion of the inquiry. If the Provost and Vice Chancellor concurs in the conclusion that an investigation is not warranted, his or her determination, and all other supporting documentation from the inquiry, shall be recorded and the record maintained confidentially in the Provost and Vice Chancellor's Office for a period of three years after the termination of the inquiry. All concerned parties shall receive written confirmation from the Provost and Vice Chancellor of the determination that further investigation is not warranted.

5. If the inquiry or the Provost and Vice Chancellor determines that an investigation is warranted, all concerned parties shall receive written notice of that determination and the matter shall be subject to further review as provided in Section 2 of these procedures.

(b) Section 2. Investigation of Reported Misconduct.

1. If an investigation is determined to be warranted under Section 1 of these procedures, the Provost and Vice Chancellor shall so inform the Chancellor. The Chancellor shall immediately appoint a committee to conduct the investigation. The committee shall be composed of impartial faculty members possessing appropriate competence and research expertise for the conduct of the investigation, and no faculty member having responsibility for the research under investigation, or having any other conflict with the University's interest in securing a fair and objective investigation, may serve on the investigating committee. [Note: If the investigation involves possible misconduct by a member of the academic staff, the Chancellor shall appoint academic staff to the investigating review panel (faculty may also serve on that panel).] If necessary, individuals possessing the requisite competence and research expertise who are not affiliated with the University of Wisconsin Oshkosh may be asked to serve as consultants to the investigating committee.

2. The investigation must be initiated within 30 calendar days of the completion of the inquiry. The investigation normally will include examination of all documentation, including but not necessarily limited to relevant research data and proposals, publications, correspondence, and memoranda of telephone calls. Interviews should be conducted of all individuals involved either in making the allegation or against whom the allegations are made, as well as others who might have information regarding key aspects of the allegations. Summaries of interviews conducted shall be prepared and provided to the parties interviewed for their comment or revision. These summaries shall be made a part of the record of the investigation.

3. The individual making the allegation and the individual against whom the allegations are made, and all others having relevant information shall cooperate fully with the work of the investigating committee, and shall make available all relevant documents and materials associated with the research under investigation.

4. The investigation should ordinarily be completed within 120 calendar days of its initiation. This includes conducting the investigation, preparing the report of the findings, making that report available for comment by the subjects of the investigation, and submitting the report to the Chancellor. If the investigating committee determines that it cannot complete the investigation within the 120-day period, it shall submit to the Chancellor a written request for an extension explaining the need for delay and providing an estimated date of completion. If the research under investigation is funded by an agency within the Public Health Service (PHS) or the National Science Foundation, Section 3 of these procedures shall be followed.

5. The report of the investigation should include a description of the policies and procedures under which the investigation was conducted, information obtained and the sources of such information, an accurate summary of the position of the individual under investigation, the findings of the committee, including the bases for its findings, and the committee's recommendation to the Chancellor concerning whether the evi-
idence of scientific misconduct is sufficient to warrant discipline or dismissal under the applicable faculty or academic staff personnel rules. All documentation substantiating the findings and recommendation of the investigating committee, together with all other information comprising the record of the investigation, shall be transmitted to the Chancellor with the report, upon completion of the investigation.

6. A copy of the investigating committee's report shall be provided to the individual being investigated. The Chancellor shall afford the individual under investigation an opportunity to discuss the matter prior to taking action under Section (3) of these procedures.

(c) Section 3. Reporting to Office of Scientific Integrity (OSI) where research is funded by an agency within PHS; or, Reporting to the Office of Inspector General (OIG), where research is funded by the NSF.

1. A determination that an investigation should be initiated under Section 1.5. of these procedures must be reported in writing to the OSI Director or the OIG Director on or before the date the investigation begins. The notification should state the name of the individuals against whom the allegations of scientific misconduct have been made, the general nature of the allegations, and the application or grant numbers involved.

2. During the course of the investigation, the granting agency should be apprised of any significant findings that might affect current or potential funding of the individual under investigation or that might require agency interpretation of funding regulations.

3. The OSI must be notified at any stage of an inquiry or investigation if the University determines that any of the following conditions exist:
   a. There is an immediate health hazard involved;
   b. There is an immediate need to protect federal funds or equipment;
   c. There is an immediate need to protect the interest of the person making the allegations or of the individual who is the subject of the allegations as well as his or her co-investigators and associates, if any;
   d. It is probable that the alleged incident is going to be reported publicly; or
   e. There is a reasonable indication of possible criminal violation. In that instance, the University must inform OSI within 24 hours of obtaining that information.

4. If the University is unable to complete the investigation within the 120-day period, as described above, the Provost and Vice Chancellor must submit to OSI a written request for an extension and an explanation of the delay, including an interim progress report and an estimated date of completion of the investigation. If the request is granted, the institution must file periodic progress reports as requested by the OSI. If satisfactory progress is not made in the University's investigation, the OSI may undertake an investigation of its own. If an NSF-related investigation cannot be completed within 180 calendar days a similar request and explanation must be submitted to the OIG.

5. If the University plans to terminate an inquiry or investigation for any reason without completing all the relevant requirements, a report of such planned termination, including a description of the reasons for such termination, shall be made to OSI or OIG, which will then decide whether further investigation should be undertaken.

6. Upon completion of the investigation, the University of Wisconsin Oshkosh will notify OSI or OIG of the outcome, in a report which shall include the information and documentation specified in Section (2)(5) of these procedures.

(d) Section 4. Other Action Following Completion of Investigation.

1. If the allegation of scientific misconduct is substantiated as a result of an investigation, the Provost and Vice Chancellor shall notify the agency, if any, sponsoring the research project of the result of the investigation. In such a case, the individual involved
will be asked to withdraw all pending abstracts and papers emanating from the scientific misconduct, and the Provost and Vice Chancellor will notify editors of journals and sponsoring agencies with which the individual has been affiliated if, based on the results of the investigation, it is believed that the validity of previous research by the individual under investigation is questionable.

2. Where scientific misconduct is substantiated, the University of Wisconsin Oshkosh will take appropriate action, which may include discipline or dismissal, with regard to the employment status of the individual or individuals involved. Applicable personnel rules, policies and procedures set forth in Chapters UWS 4, 6, 11, and 13, Wisconsin Administrative Code and related University policies shall govern discipline or dismissal actions resulting from an investigation of scientific misconduct.

3. Where allegations of scientific misconduct are not substantiated by the investigation, the University of Wisconsin Oshkosh shall make diligent efforts, as appropriate, to restore the reputations of the persons alleged to have engaged in misconduct, and to protect the positions and reputations of those persons who, in good faith, made the allegations.

GEN 1.5.(3). Care and Use of Animals.

The University of Wisconsin Oshkosh encourages and supports free investigation by faculty, academic staff and students into any general area of knowledge. The University's Institutional Animal Care and Use Committee (IACUC) assists investigators and classroom instructors in ensuring that all animals used for teaching, research, or other activities at this university shall be used and cared for according to the principles stated in the current "Guide for the Care and Use of Laboratory Animals" (National Research Council), and the Animal Welfare Act (Public Law 89-544 and amendments), to conduct teaching, research, and other activities. The IACUC reviews all project and instructional protocols involving animals, including extramural grant proposals, Faculty Development proposals, graduate student research, and independent study courses. Each investigator must initiate the IACUC animal-use protocol review process at the appropriate time so as not to delay or endanger their proposed activity. Animal use protocol forms are available from the Departments of Psychology and Biology/Microbiology or the College of Letters and Science Dean's Office.

GEN 1.6. Other Policies.

GEN 1.6.(1). Bloodborne Pathogen Policy.

Definitions:

(1) Occupational exposure means reasonable anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials (OPIM) that may result from the performance of an employee’s duties.

(2) Bloodborne pathogen means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HCV), and human immunodeficiency virus (HIV).

(3) OPIM means the following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.

The Wisconsin Department of Commerce has issued a standard to protect workers whose jobs put them at risk for occupational exposure to bloodborne pathogens (BBP). The standard follows guidelines issued by the federal office of Occupational Safety and Health Administration (OSHA) and the Center for Disease Control and Prevention (CDC).

University employees, identified by the University as having occupational exposure, have an important role in the Bloodborne Pathogen Exposure Control Plan. They are responsible for:

(1) Knowing the nature of the tasks they perform and their risk of occupational exposure;

(2) Attending yearly BBP education and training sessions;
(3) Complying with the methods of exposure control required by the Standard and by this University;

(4) Accepting or declining the hepatitis B immunization series;

(5) Obtaining the medical record of previous hepatitis B immunizations if indicated;

(6) Initiating first aid if a biohazard exposure is incurred; and

(7) Reporting exposure incidents to supervisors immediately.

The University of Wisconsin Oshkosh Bloodborne Pathogen Policy and Exposure Control Plan is available in the offices of unit directors and deans and the University’s library.

GEN 1.6.(2). Complimentary Tickets for Athletic and Cultural Events.

Chapter 36.39 of the Wisconsin Statutes is the only statute restricting the provision of complimentary tickets in the UW System. It is related to athletic events. The statute provides that:

Complimentary and reduced price tickets to any system athletic event for which an admission fee is normally charged are prohibited with the following exceptions:

(1) Reduced price tickets for persons 62 years of age or older, minors and students;

(2) Complimentary and reduced price tickets required by rules of intercollegiate athletic conferences in which the system participates; and

(3) Complimentary and reduced price tickets for individuals who perform duties directly related to the conduct of the athletic event for which they are issued.

There is no Board of Regents or UW System policy that restricts the provision of complimentary or reduced price tickets to students and faculty for campus cultural events.

GEN 1.6.(3). Honorary Degrees, Guidelines.

Approved by Faculty Senate: March 13, 1990
Chancellor: March 26, 1990
Board of Regents: September 7, 1990

(1) Criteria.

The University of Wisconsin Oshkosh may bestow honorary doctoral degrees on individuals of exceptional accomplishment and distinction who have made significant contributions to the University, region, state or nation; or demonstrated a consistently outstanding record of accomplishment in their field of endeavor. All candidates must be endorsed by an appropriate academic program unit, and recommended by the University Honorary Degree Committee.

(2) Degree Designations.

The following Honorary degree designations may be awarded by the University of Wisconsin Oshkosh:

- Doctor of Laws (LL.D.);
- Doctor of Science (SC.D.);
- Doctor of Humane Letters (L.H.D.); and
- Doctor of Literature (D.Lit.)

(3) Limitations.

To insulate the honorary degree from partisanship, to protect the award from possible conflicts of interest and to protect nominees from possibly compromising positions, the following three categories of individuals are ineligible for an honorary degree from an institution of the University of Wisconsin System.

(a) Public Officials and Political Appointees. Included are serving members of the Wisconsin Legislature and the Wisconsin congressional delegation; elected and appointed officials; and all members of the state judiciary.

(b) Regents. Included are serving members of the University of Wisconsin System Board of Regents.
(c) University of Wisconsin System Employees. Included are currently employed faculty or staff at each university and in System Administration.

Persons in any of these three categories could be eligible for consideration two years or more after they have vacated office or terminated employment. However, emeritus faculty and staff are not eligible for honorary degrees unless they have achieved distinction in a second career following retirement.

In awarding honorary degrees, the University of Wisconsin System does not assume any legal obligations. The recipients receive no honoraria but the University of Wisconsin Oshkosh shall assume all expenses incurred by the recipients which are associated with their participation in the commencement.

(4) Honorary Degree Committee.

See Gov 6.2.

(5) Procedures.

Candidates for honorary degrees may be nominated by faculty, staff, students and private citizens. These candidates will be evaluated solely on the merit of their credentials, and the criteria established by the University of Wisconsin Oshkosh. In awarding degrees, the University will encourage diversity in ethnicity, gender and areas of study.

The nominator will assume full responsibility for gathering all information required for the assessment of the nominee, recording this information on the appropriate form, providing the needed supporting documentation and selecting the appropriate academic discipline. All nominees must be endorsed by the appropriate academic program units. All activities related to the nomination of candidates, the review of documentation supporting each nominee, and recommendation to the Board of Regents must be conducted with a confidentiality appropriate to personnel matters. A maximum of two candidates may be recommended to the Chancellor.

The campus recommendations for honorary degrees are presented to the President of the UW System and are then forwarded to the Board of Regents for review and formal approval.

(6) Approval Process.

Board of Regent approval must be obtained at least two months prior to the commencement at which the degree is to be conferred. For a Spring commencement the nominations must be received for first reading by the Board in February and for a Winter commencement no later than the October Board meeting.

As a matter of policy, the Board will generally limit to one the number of honorary degrees any individual may receive from the UW System. Therefore, the UW System Office of Academic Affairs shall serve as a formal information exchange office to avoid duplication of nominees being advanced to the Board. The Chairperson of the Honorary Degree Committee must clear nominees with the UW System Office of Academic Affairs before final institutional selections are determined. Nominees selected must have approval of a majority of the four faculty on the Honorary Degree Committee as well as approval of a majority of the Committee as a whole.

Upon Board of Regents approval of the institutional nominees for honorary doctorates, the Chancellor will invite the candidate(s) to attend the commencement convocation at which the award is to be conferred. Honorary degrees are not awarded in absentia, but they may be awarded posthumously.

GEN 1.6.(4). Facility Naming Policy.

Approved Faculty Senate: April 14, 2009
Approved Senate of Academic Staff: April 16, 2009
Approved Oshkosh Student Association: April 14, 2009
Reviewed U-Plan Council: April 6, 2009
Approved Chancellor Wells: May 24, 2009

Purpose:

UW Oshkosh considers the naming of a physical location on campus in honor of a living or deceased individual, corporation, foundation, or organization to be one of the highest distinctions that it can bestow. In light of the importance and magnitude of this honor, UW Oshkosh has established the follow-
Naming procedures at UW Oshkosh are designed to acknowledge personal achievements and/or the intellectual, financial, service or other contributions made to the University.

Procedure:
Anyone (UW Oshkosh faculty, staff, alumni, student, or community member) may petition the Chancellor to have a physical location on campus named. Such a location may be a building, location within a building, etc. Following is the process that will be used to review naming requests.

1. Proposal submitted to Chancellor to name a specific space.
2. The Chancellor reviews to determine if it appears appropriate.
3. The Chancellor sends the request to the Vice Chancellor responsible for the space to obtain confidential input from the leadership of the unit most closely attached to the structure/space about naming it. The request must remain confidential so only the leadership is involved in providing input on the request.
4. The relevant Vice Chancellor reviews the feedback from the leaders of the affected units and submits a recommendation to the Chancellor.
5. Chancellor shares the request and the recommendation with U-Plan.
6. U-Plan makes a recommendation.
7. Based on input from the relevant constituencies the Chancellor makes a decision to accept or reject the request.

In the case of naming opportunities associated with fundraising campaigns, Chancellor’s Staff must “pre-approve” naming at certain giving levels consistent with opportunities previously offered on campus. These naming opportunities are shared with the units affected and U-Plan. The results of the fundraising campaign, and the naming opportunities chosen, should be reported back to the Chancellor’s Staff in a timely fashion.

A depository of naming recommendations and approvals will be maintained in the Chancellor’s Office.

Guidelines:
If the naming request involves a living individual who has been formally associated with the University of Wisconsin System, or has held a paid public office, a waiting period is required unless a situation is presented where a gift stipulates the naming. Normally, at least five years must have elapsed from the time a person who has been formally associated with the University of Wisconsin System, or has held a paid public office, has terminated that association, or left the paid public office.

Naming of buildings requires approval by the Board of Regents. The Chancellor is authorized to name facilities when the naming involves less than an entire building, such as rooms, wings, or exterior amenities. This authorization is subject to the same limitations regarding waiting periods as those pertaining to entire buildings.

Requests that small spaces, such as rooms, suites and labs, be named for members of the faculty or staff after their retirement, may be entertained, waiving the restriction of waiting five years after death.

Donor-Based Names:
The generosity of friends and donors enables the university to fund the construction of facilities that it might not have been able to build otherwise. In the case of naming opportunities as a result of a fundraising campaign, the naming is considered official once a gift is received at the appropriate level (as verified by the Foundation President and approved by the Chancellor and Board of Regents, if their approval is required).

Naming Persistence: Certain circumstances may trigger reconsideration of previous naming decisions including, but not limited to, failure to follow through on a financial commitment, failure to maintain the high standards of the university or an event that causes the university extraordinary embarrassment or disrepute, the physical space is significantly changed. Chancellor’s Staff reserves full rights to reconsider any and all naming decisions using the above process.

Approved names for facilities will not remain in effect beyond the useful life of the building.
GEN 2. Compensation Considerations.

GEN 2.1. Administration of Merit.
Each year the Provost and Vice Chancellor, acting for the Chancellor, in consultation with representatives of the Faculty Senate, publishes general guidelines to be used for determining salary increments for the following year. These guidelines are based in part on directives issued by the Board of Regents consistent with decisions made by the state legislature. The process generally begins early in the spring semester (dependent on when information is available from UW System) with departments and units conducting evaluations of faculty and academic staff, and concludes when the Chancellor forwards recommendations to the Board of Regents as part of the annual budget submission. Each person is notified of salary for the coming year after information is available from the Board. The timing is often controlled by legislative budget action. The new salary generally goes into effect September 1 for academic appointees and July 1 for those on annual appointment. Agreements approved for the current Oshkosh calendar plan permit new salaries for academic appointees to be effective with the summer semester.

(1) Evaluation for Salary Administration.
Each faculty and teaching academic staff member shall be evaluated for salary administration at least every two years by their department or unit. A multiple year rolling average may be used. If a two-year evaluation was completed last year, an evaluation is not required this year. The results of this review will establish the merit component and/or eligibility for across-the-board salary adjustments for pay plans in the coming biennium.

(2) Colleges/departments shall establish a process for salary review and evaluation of: teaching, professional and scholarly growth and service. The process established must include the following:
(a) development and distribution to faculty and teaching academic staff of evaluation criteria which reflect department, college and university goals.
(b) criteria for evaluation of instruction which include guidelines for the consistent use of student evaluations, peer evaluations, and other evidence in judging teaching performance.
(c) a written feedback process that will be given to each faculty and teaching academic staff member; the feedback process will include face-to-face feedback with the unit head and/or unit personnel committee representative as part of the salary evaluation process.

(3) Newly hired individuals will receive a percentage increase for their second year equal to the average increase in the campus pay plan. If their department's biennal evaluation occurs during the second year of employment, they will be evaluated on performance to date at University of Wisconsin Oshkosh. If this evaluation will occur in the third year, an average increase will be awarded for year three. The provision for pay increase shall be included in the letter of appointment for faculty hires. The first merit review for newly hired faculty will consider all teaching, scholarship and service from the date of appointment.

GEN 2.2. Salary Adjustment Guidelines.
The University shall annually prepare and issue salary adjustment guidelines that are available from the Human Resources Office. Notice to the campus community shall also be provided at the time that
the document is published. These guidelines will be used for determining 2011-2012 salaries. (See
below). They apply to faculty or continuing academic staff employed by the University during the fiscal
year, including personnel on or returning from leave of absence. The guidelines do not apply to classi-
fied staff, academic staff terminal contract holders, graduate assistants, adjunct faculty or other sala-
ried employees.

(1) Allocation of Economic Adjustment.

(a) The campus will receive (unknown) on July 1, 2011 of the certified System payroll for sal-
ary adjustments for eligible faculty and academic staff. Salary increases must conform to
the provisions of the approved state pay plan, thereby averaging (unknown) on July 1,
2011 for teaching and non-teaching faculty and continuing academic staff.

(b) Promotions will be funded from base budget rather than from the salary adjustment allo-
cation. Salary adjustments for promotions to Assistant Professor will equal 4.0 percent of
the average Assistant Professor salary, promotions to Associate Professor will receive 6.0
percent of the average Associate Professor salary, and promotions to Professor 7.5 per-
cent of the average Professor salary, based on the 2010-11 academic year salaries.

(c) Salary Adjustment for Academic Staff promotion will follow the Handbook guidelines (ACS
9.3. Salary Adjustment).

(2) Eligibility.

These salary guidelines apply to faculty and continuing academic staff employed by the Uni-
versity during the fiscal year 2010-11, including personnel on or returning from leave of ab-
sence. The guidelines do not apply to classified staff, academic staff terminal contract holders,
graduate assistants, adjunct faculty or other salaried employees.

All personnel specified above are eligible, within the context of the process which follows:
Faculty and teaching instructional academic staff who have provided evidence of student
evaluations of teaching obtained from no less than three (3) sections completed per evalua-
tion period are eligible for a merit or solid performance salary adjustment (see the UW System
Policy on Student Evaluation of Instruction, included in the Faculty and Academic Staff Hand-
book chapter titled "Faculty Performance Review"). Faculty and instructional academic staff
teaching part time may adjust the number of evaluations required in proportion to their teach-
ing assignment during the evaluation period.

(3) Administration of Adjustment.

(a) General Guidelines.

(1) $12,000 from campus sources will be used to meet the faculty contribution to salary
equity adjustments.

(2) If the salary adjustment package is more than 2%, 2/3 of salary adjustments will be
distributed to those demonstrating solid (satisfactory) performance and 1/3 of salary
adjustment will be distributed based on merit evaluations.1 If the salary adjustment
package is 2% or less, and UW System guidelines allow it, salary adjustments will be
distributed on an equal percentage basis to all those judged to be solid performers
and there will be no merit component.

(3) Each unit making merit decisions is required to develop a written statement as to how
solid performance is defined within the unit. A copy of this statement will be submitted
along with the merit and solid performance recommendations. The submission of merit
it documents will be part of the solid performance criteria.

The 2003-05 compensation adjustments for faculty, academic staff, and university senior executives shall be provided such that not less than
one-third of total compensation shall be distributed on the basis of merit/market and not less than one-third of the total compensation plan
shall be distributed on the basis of solid performance. The remaining one-third pay plan allocation may be used to address these and other
compensation needs with appropriate attention to pay compression.

2003-05 General Compensation Distribution Plan and Guidelines, Minutes, BUSINESS AND FINANCE COMMITTEE,
Board of Regents of the UW System, EXHIBIT A, December 5, 2002
(4) The Chancellor’s 10% discretionary fund will be included in the overall amount available for distribution, and therefore distributed as per (a)(2) above.

Units must provide an explanation in writing for each member judged to be a solid performer, but who did not receive a merit pay recommendation. Those members judged not to be solid performers will not be eligible for merit pay increases.

(b) Merit Salary Adjustment Guidelines.

1) Merit determinations for faculty must be based on positive contributions to:
   (a) teaching,
   (b) professional and scholarly growth activity, and
   (c) institutional and extra-institutional service.

2) Merit determinations for non-teaching faculty shall be based on supervisory assessments of meritorious performance, except where a peer review process is in place.

3) Merit determinations for instructional academic staff should be based on performance within the current job description for new employees and on performance expectations for continuing employees, as determined by the college and/or department/unit.

4) Merit determinations for professional/administrative academic staff should be based on performance within the current job description for new employees and on performance expectations for continuing employees. [See sub-section (9)(b)1.]

5) All department/unit members shall be informed of the relative weight assigned to each of the evaluated activities.

(4) Merit shall be based solely on professional performance, as noted above. Race, religion, sex, national origin, age, disability, political views, marital or parental status, sexual preference, source of salary support, membership in any other group with a protected status, and constitutionally protected activities shall not be factors in merit determination.

(5) Eligible personnel on split assignments will be evaluated proportionally to their FTE assignments in these units unless the affected individual and the units agree to do otherwise.

(6) After the merit evaluation has been completed, department/unit heads or personnel committee chairs will schedule and document a face-to-face meeting to discuss performance evaluations with individuals.

(7) The confidentiality of individual salary recommendations must be maintained until final approval by the Board of Regents. Following Board approval, a letter describing salary adjustments will be sent to each continuing faculty and academic staff member.

(8) Substantive academic or performance judgments affecting merit are not grievable. Those who believe there have been procedural errors or that individual salary adjustments have been affected by immaterial or irrelevant factors should call these to the attention of their unit administrator or immediate supervisor and, if there is no satisfactory resolution, may refer these to the next higher administrative level. If the matter is not resolved administratively, faculty or academic staff may file a procedural grievance under the applicable rules.

(9) Department/Unit Guidelines.

(a) Each faculty and instructional academic staff member shall be evaluated for salary administration at least every two years by their department/unit. A multiple year rolling average may be used. If a two-year evaluation was completed last year, an evaluation is not required this year. Though evaluations will be postponed when there are no merit dollars available, subsequent evaluations will cover any years that merit was not evaluated.

(b) Each professional/administrative academic staff member should be evaluated for salary administration annually by their respective supervisors. The process for merit adjustments for professional/administrative academic staff shall be as follows:

1) Supervisors shall define solid performance and provide performance expectations, in-
cluding relative weight of criteria, to academic staff well in advance of evaluation.

2) Each academic staff member will be provided an opportunity to submit documentation addressing performance expectations and individual performance.

3) A peer review process also may be used, as agreed upon by the academic staff member and supervisor.

(c) To facilitate pay plan administration, the university will assign merit points to each unit equal to one percent of the total base salaries of the eligible personnel in the unit, with one dollar of this sum equaling one point.

(d) These points will be assigned to individuals within the unit according to the unit merit policies and procedures.

(e) Newly hired individuals will receive a percentage increase for their second year equal to at least the average increase in the campus pay plan. If their department's biennial evaluation occurs during the second year of employment, they will be evaluated on performance to date at University of Wisconsin Oshkosh. If this evaluation will occur in the third year, at least an average increase will be awarded for year two.

(f) The merit policy and related criteria and procedures of each academic department/unit shall be approved by the unit faculty and those academic staff affected by this policy and reviewed at least every three years, with the review completed by February 1 of the academic year. The date of approval must be included with each year's salary recommendations.

(g) Individuals who choose not to participate in or who are not eligible for merit distribution shall be identified (by the department/unit chair/supervisor) to the Dean or division head (Chancellor, Provost, Vice Chancellor, et al.). The individual's corresponding share of merit dollars allocated to the unit will be transferred to the college or the division for allocation by the College Committee in consultation with the Dean or by the division head.

(h) If individuals have submitted a letter of retirement or resignation before the following contract year, their salary adjustment funds will be returned to the salary adjustment pool.

(i) Funds resulting from professional/administrative academic staff reaching the maximum salary for their respective titles will be pooled and used totally for merit salary increases as follows: Each division head (Chancellor, Provost and Vice Chancellor, Vice Chancellor, et al.) may nominate professional/administrative academic staff for special consideration. Distribution of these dollars among the nominees shall be decided at a meeting of the division heads convened by the Chancellor. The affirmative action officer shall be a non-voting member of the group.

(j) Merit recommendations for faculty and instructional academic staff shall be forwarded to the college-level committee (where appropriate) and Dean. Recommendations for professional/administrative academic staff shall be forwarded to the division head.

(k) The points assigned to individuals will be multiplied by the amount specified in sub-section 1.(a) above, with each resulting point equaling a one dollar merit increase.

(10) College or Administrative Division.

(a) With concurrence by the appropriate governance group(s) within a college or division (and in the absence of such (a) group(s) by a majority of those affected) a college or division may set aside up to 5 percent of its merit fund for allocation by the Dean or division head to recognize exceptional performance by eligible personnel. Criteria for defining eligible personnel must be established by the Dean or division head and distributed to individuals in the college or division.

(b) The college or division committee (if appropriate) and the Dean or division head shall review merit recommendations including college or unit level recommendations. If either the committee or the Dean or division head determines that adjustments appear procedurally inappropriately distributed, such as nearly equal merit points or percentages assigned across the board, an iterative process shall take place involving all the reviewing parties.

(a) The University Compensation Committee will serve as the Salary Review Committee. It shall review salary administration recommendations prior to any final decisions and evaluate the application of salary guidelines.

(b) All unit supervisors at the level of Dean or above must be represented when the Compensation Committee meets as the Salary Review Committee.

(c) The Committee will report the conclusions of its review to the Chancellor.

GEN 2.3. Summer Session.

The Oshkosh calendar plan makes it possible for faculty and academic staff to complete part of their assignment during the summer semester. In certain instances, unit needs and limited personnel require the University to issue compensation for additional service (CAS) contracts for teaching or administrative services during the summer semester. These CAS summer semester contracts (other than those issued through the Faculty Development Program) are generally issued in early May of each year and are in accordance with decisions made in the budget process. Salary payments are made in August or September or both, depending on when the professional duties are performed.

GEN 2.4. Compensation for Additional Services (CAS).

Faculty and academic staff who are scheduled or have completed the 39-week academic year time requirement—34 weeks of which must be in organized activities such as formal instruction, curricular development, research, and other appropriate activities related to University responsibilities during which the staff member will be accessible to students and colleagues—may be employed by the University outside these time commitments.

(1) Separate contracts (Personnel Transaction Forms) are issued for all Compensation for Additional Service payments. The decision to offer a CAS contract is based upon University, college, and department or unit needs. Since CAS is considered as an extension of contract into new time periods, an individual cannot be awarded CAS monies while working full time under the regular contract. Weeks must be moved into free time periods before payment can be made. (Supervisor must be consulted regarding weeks changes.)

(2) Teaching duties are calculated on the basis of 2.5 percent of the academic base salary per credit with a maximum payment of 15 percent. Non-teaching duties are calculated on the basis of 7.5 percent of the base salary per month of a full-time assignment, with a maximum payment of 15 percent.

(3) Compensation for Additional Service is also available for faculty development. See the faculty development section in these materials for additional details.

(4) The maximum CAS payment to an individual for any year is 15 percent of the individual's academic base salary.

(5) Further information on CAS may be obtained from supervisors.

GEN 2.5. Overload Payments.

Listed below are excerpts from the System’s policy on overload payments: It is generally assumed that the salary received by full-time faculty members fully compensates them for university activity during their appointment period. Thus, such faculty members may not receive compensation, for an overload activity, from any funds administered within the University System, regardless of source, except through procedures and within standards provided in this policy. Exceptions to this policy are subject to specific advance approval of the Chancellor(s) (or designee) whose unit(s) is (are) involved and must be of an unusual, short-term and nonrecurring nature. Compensation received from the University in the summer period should not in aggregate exceed two-ninths of the academic year salary of the person appointed unless an explicit exception is granted by the Chancellor (or designee) The complete policy (ACPS-4) is available from your department chairperson or equivalent.

(1) Because of the uniqueness of our calendar plan, the statement listed below is considered operational.

(2) Definitions.
Base Salary - The salary approved for the year in the annual budget process.

Annualized Base Salary - The base salary plus any additional salary payments earned from University-administered sources by a faculty or academic staff member when he/she does not have a University commitment (e.g., CAS, extramural grants, UW Extension) The maximum allowable annualized base salary is 1.2222 of the base salary.

Overload Payments - Salary payments made from University-administered sources that exceed the base salary or the annualized base salary.

(3) Interpretations.

(a) If a faculty or academic staff member has a part-time commitment to the University for a term in which salary payments administered by the University from other sources are also received, then the additional salary will be considered as annualized base salary up to an amount that would bring the individual to a full-time salary for that term. Any overage of the full-time salary for the term would be considered an overload payment.

(b) The maximum CAS salary that can be earned for any one year is 15 percent of the base salary.

(c) Calculation for the purposes of this document is based on when salary dollars are earned and not when they are paid.

(d) The maximum allowable overload payment for any calendar year is $12,000.

(e) Overload payments need the advance approval of the Provost and Vice Chancellor and must be of an unusual, short-term, nonrecurring nature. CAS payments also need the advance approval of the Provost and Vice Chancellor.

(f) Requests for additions to the payroll shall be sent to the Associate Vice Chancellor on a Personnel Transaction Form and must be identified as overload payments.

(g) Procedurally, all requests for additional payments on the unclassified payroll will need to flow through the office of the Associate Vice Chancellor.

(h) Personnel Transaction Form requests will need to include the following information: name, amount, account number, reason for payment, date(s) of the performed service, and the name of the originator. The request should be initialed by all supervisors and the budget director before reaching the Provost and Vice Chancellor’s Office. The Associate Vice Chancellor will inform the vice chancellors, deans, or assistant vice chancellors of the appropriateness of the payment and make the necessary arrangements with the payroll office.

(4) State Limits.

Section 16.417(2), Wisconsin Statutes, places a $12,000 limit on additional income full-time staff can earn beyond the rate for their regular appointment. No limit is placed on staff who work less than full-time. The limit applies to classified and unclassified employees.

The $12,000 cap applies to calendar year earnings.

Each UW institution is considered a “separate” State agency for application of the $12,000 earning cap. Thus, a full-time employee can earn an additional $12,000 at their institution and be eligible to earn up to $12,000 at any other UW institution or any other State agency. The cap applies to each UW institution and State agency. Thus, in theory a full-time employee at UW-Eau Claire could hold another appointment at UW-Eau Claire, UW-Stout and UW-Madison and earn up to $12,000 at each institution (e.g. $36,000).

Although the limit is calculated on a calendar year basis, staff on an academic year appointment are impacted differently than annual staff. Staff employed full-time during the period of their academic year appointment are subject to the cap because they are considered full-time. However, during the summer any additional amount earned is not applied to the $12,000 calendar year cap because they are not considered to be employed full-time during the summer. Full-time annual staff are subject to the cap for the entire calendar year.
GEN 2.6. Method of Salary Payment.

Academic appointments are paid in 9 equal payments beginning October 1 and ending June 1. Annual appointments are paid once each month. Checks and/or pay statements are distributed by the first working day of the month.

GEN 2.7. Deductions.

Federal and state regulations require the employer to withhold taxes from payrolls based on the gross amount of check received each month. All employees must fill out Form W-4, Employees Withholding Exemption Certificate, for federal withholding, and WT-4, Employees Wisconsin Withholding Exemption Certificate, for state withholding. At the end of each calendar year, Form W-2 is furnished to each employee showing wages earned and taxes withheld. Social security withholding is deducted from all employees except those with an "F" or "J" visa. A social security number is required of all personnel.

GEN 2.8. Extramural Support Policy.

The University encourages faculty and academic staff to seek extramural support for research, instructional development, and other activities within the University’s mission. The Office of Grants and Faculty Development has information about sources of extramural support and University policies and procedures. In addition, it can provide material that will assist in writing proposals. Budget development must be done in consultation with the Director, Office of Grants and Faculty Development. All proposals must receive institutional approval before being submitted to a funding agency. The Office of Grants and Faculty Development will facilitate the institutional review. Ideally, at least one week should be allowed for this process.

GEN 2.9. Faculty Internal Salary Equity Process.

Approved by Provost's Administrative Staff: 4-28-09
Approved by Faculty Senate 5-12-09
Approved by Chancellor: 5-21-09

This process is designed to address internal salary inequities that have resulted from forces outside of performance and the merit process. Faculty members may apply for a remedy to a perceived inequity once every five years.

(1) Funding for the plan will come from a combination of sources including, but not limited to, any or all of the following: the faculty salary pool; the colleges; and the university. Each biennium a memo of understanding will be written to determine sources of the funds.

(2) A total annual fund of $60,000 will be created.

(3) Distribution of Funds

(a) The faculty will be divided into five equal-sized, randomly selected cohorts.

(b) Each year the members of one cohort, or 20 percent of the faculty, will be eligible to receive an equity adjustment.

(c) All members of a cohort will be reviewed in the year their cohort is eligible. The only documentation that a faculty member will be permitted to submit is a CV (listing classes taught, scholarly or artistic work and service activities), student opinion surveys, and a one-page statement. Faculty members who decline to submit a CV will be excluded from consideration. Data will be provided by the Office of Institutional Research that include a regression analysis using current salary as the criterion and the following variables as predictors.

• Academic Discipline (Each College determines which faculty members belong in each discipline. This will be a series of dichotomous variables representing the various disciplines on campus.)

• Degree

• Rank

• Year started at UW Oshkosh

• Year promoted to current rank

Separate regression analyses will be performed for each professional school and each division in COLS. The Faculty Internal Salary Equity Committee may request additional re-
gression analyses.

Merit data will be provided for consideration using two averages: 1) average of merit points allocated divided by the salary of the faculty member at the same time each year for the last 10 years and 2) average of merit points as a percentage of the average merit points per faculty member in the unit (department or college) each year for the last 10 years.

(d) The initial level of review will consist of a Faculty Internal Salary Equity Committee with members elected by their respective colleges. Faculty in the cohort being considered during a given year may not serve on this committee. This committee will review the material submitted by each faculty member and recommend salary adjustments. The adjustments recommended must be limited to the $60,000 available. Committee members will excuse themselves when members of their home departments (or comparable unit) are being discussed. Because the focus of the process is to address internal equity, adjustments recommended for faculty members will be based on internal comparisons (regression analysis results and/or salaries of comparable individuals on campus).

(e) Due to the confidential nature of the review process, committee deliberations, regression information, and recommendations are to be held in the strictest confidence. No specific information will be shared with previous levels of review. At the conclusion of the process, the Chancellor may provide summary data, in aggregate, to the Faculty Internal Salary Equity Committee.

(f) The recommendation of the initial level of review for each faculty member will be passed along to the appropriate Dean. Each Dean will forward a salary recommendation to the Provost and Vice Chancellor. The total salary increases recommended by each Dean must fall within five percent of the total increases recommended by the initial level of review for each respective college.

(g) The Provost and Vice Chancellor shall review the files and pass along a recommendation to the Chancellor who shall have the final authority to allocate all or some of the $60,000 available each year.

(h) The equity plan will run for a full five-year cycle. Toward the end of that cycle a review will be conducted to determine if another five-year cycle is warranted.

GEN 2.10. Faculty Member in an Administrative Position and Return to Faculty Position.

UWS 4.04 (5) Faculty Member in an Administrative Position and Return to Faculty Position.

As directed by Regent Resolution #9058 (adopted September 9, 2005) when a ranked faculty member leaves an administrative limited appointment to return to his/her faculty position, the faculty member will be compensated at a salary rate consistent with other faculty members of the same rank in the department when considering years of service, previous salary as a faculty member, length of time served as an administrator and other factors normally considered when setting faculty salaries (e.g., past performance as faculty member, performance in limited appointment). The UW System Office of Human Resources must approve all such salaries prior to offering a salary to the returning faculty member. The salary request must include justification for the proposed faculty salary as well as the methodology used for determining the salary.

Regent Resolution #9058 (adopted September 9, 2005) further directs that limited appointees returning to the faculty with transition time for teaching preparation must develop the equivalent of a sabbatical proposal clearly outlining the work to be accomplished during the transition time. At the conclusion of the transition period, the faculty member must prepare a report of work accomplished during the transition period. The transition period should be no longer than one academic semester unless the person has served in a limited position for five or more years, whereby two academic semesters may be allowed. UW System approval of the transition plan is not required. However, the transition plan and subsequent report of work accomplished should be maintained in the institution’s files and be available if there should be an audit of compliance with this policy.

GEN 2.11. Professorial Salary Increase and Title Recognition Guidelines Faculty Senate: Approved 1-17, 2012
Chancellor: 1-24, 2012
Faculty with the rank of Professor, whose performance over the previous 8 years would again qualify them for promotion to the rank of professor, will receive salary increases and title recognition.

1) Salary Increase

Professorial Productivity Salary Increases will be equal to the raises received by those promoted to the rank of Professor during the current year.

2) Title Recognition

Qualifying Faculty will internally be granted the title of Distinguished Professor by UW Oshkosh.

3) Eligibility

Faculty with the rank of Professor may first apply after their eighth year in rank as Professor at UW Oshkosh, and again 8 years after a previous Professorial Productivity Salary Increase. Faculty hired as Professor may first apply after their eighth year at UW Oshkosh. Professors may reapply for consideration 4 years after an unsuccessful application.

4) Application

Those wishing to be considered for a Professorial Productivity Salary Increase must submit a brief document including ONLY the following information:

• A table of Student Opinion Survey results for the previous 4 years.
• A list of scholarly activities during the previous 8 years.
• A list of service activities during the previous 8 years.
• A narrative of no more than one page (12 pt font) in length may accompany each of the 3 sections above.

5) Review Process

The review of individual applications for Professorial Productivity Salary Increases will follow the existing promotions process but will submitted via the Department Chair for initial review by the College Promotions Committee. The committee will evaluate performance in the areas of teaching, scholarly activity, and service. Only those applicants whose performance over the previous 8 years would qualify them for promotion to the rank of professor will receive such raises. Successful applicants must have continued to demonstrate a record of strong performance in the areas of teaching, professional and scholarly growth, and service.

6) Implementation

To implement this process, all professors with 8, 12, or 16 or more years in rank will be eligible to apply during the first year such raises are available. During the second, third, and fourth years those with 8, 12, and 16 years in rank may apply. Thereafter, professors may first apply in the year after their 8th year in the rank of Professor.

7) Funding

The plan will be funded from two sources: the Colleges and the University. Each biennium, a written memo of understanding will be generated outlining the amount of funding that will be
GEN 3. Employment Considerations.

Part A. Outside Activities.
GEN 3.A.1. UWS 8 {Unclassified Staff Code of Ethics}.
GEN 3.A.2. Code of Ethics {UWS 8}.


UWS 8.01 Declaration of policy.

In view of the special relationship of the University of Wisconsin System to the state and to affirm as public policy within the system certain common standards to prevent conflicts of interest, the board hereby adopts the following code of ethics for unclassified staff pursuant to ss. 19.45 (11) (b) and 36.23, Stats.

(1) Every member of the unclassified staff at the time of appointment makes a personal commitment to professional honesty and integrity, to seek knowledge and to share that knowledge freely with others. Such a commitment is essential for the university to perform its proper function in our society and to ensure continued confidence of the people of this state in the University of Wisconsin System and its personnel. It is a violation of this commitment for unclassified staff members to seek financial gain for themselves, their immediate families or organizations with which they are associated through activities that conflict with the interests of the University of Wisconsin System.

(2) The board of regents, as a matter of policy, recognizes that:

(a) Members of the unclassified staff have personal and economic interests in the decisions and policies of national, state and local government.

(b) Members of the unclassified staff retain their rights as citizens to interests of a personal or economic nature.

(c) The code of ethics must distinguish between those minor and inconsequential conflicts which are unavoidable in a free society and those conflicts which are substantial and material.

(3) In adopting the standards of conduct set forth in this chapter, it is the board's purpose to prohibit only those activities which will result in a conflict between the personal interests of an unclassified staff member and that staff member's public responsibilities to the University of Wisconsin System. It is not the board's purpose to prohibit an unclassified staff member from freely pursuing those teaching, research, professional and public service activities which will not result in such a conflict, nor to prohibit a staff member from accepting any compensation, fees, honoraria or reimbursement of expenses which may be offered in connection therewith.

Note: This subsection, which is new, should be read in conjunction with new UWS 8.025 concerning outside activities. The approach reflects the view that the major inquiry in regard to the acceptability of outside activities is whether they may or do present conflicts with, or detract from performance of, university duties and responsibilities (sic).

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75; r. (1) (a) 1. and 2. and (b) 4., renum. (1), (1) (a) (intro.) and (1) (b) 1., 2. and 3. to be (intro), (1) and (2) (a) to (c) and am., cr. (3), Register, January, 1986, No. 361, eff. 2-1-86.

UWS 8.02 Definitions.

In this chapter:
(1) "Academic staff" means professional and administrative personnel other than faculty with duties, and subject to types of appointments, that are primarily associated with higher education institutions or their administration.

(2) "Anything of value" means any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include:

(a) Any salary, expenses or other compensation received by a member of the unclassified staff from the university for his or her services;

(b) Any compensation, honoraria or expenses derived from outside activities permitted under this chapter;

(c) Political contributions which are reported under ch. 11, Stats.; or

(d) Hospitality extended for a purpose unrelated to university business.

(3) "Associated," when used with reference to an organization, means that a person or a member of a person's immediate family is a director, officer or trustee or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity.

(4) "Board" means the board of regents of the University of Wisconsin System.

(5) "Chancellor" means the chief executive officer of a university, the University of Wisconsin Centers or the university extension.

(6) "Confidential university information" means information relating to university financial operations or personnel which is obtained from university records or in the course of official university business and which is not available to the general public upon request.

Note: This definition is relocated from current UWS 8.03 (1) (c).

(7) "Contracting personnel" means those persons who are designated in writing by the Chancellor of an institution or the president of the system to negotiate, review, approve, or sign contracts for the purchase of goods and services on behalf of an institution, the university system, or the board. The term does not include persons who do either or both of the following:

(a) Contract only with outside agencies for research or for services to be performed by the university; or

(b) Negotiate, review, approve or sign only employment contracts.

Note: This subsection revises current UWS 8.02 (1) (j), which is repealed.

(8) "Faculty" means persons who hold the rank of professor, associate professor, assistant professor or instructor in an academic department or its functional equivalent in an institution.

(9) "Immediate family" means:

(a) An unclassified staff member's spouse; and

(b) Any person who receives, directly or indirectly, more than one half of his or her support from an unclassified staff member or from whom an unclassified staff member receives, directly or indirectly, more than one half of his or her support.

(10)"Institution" means any university or an organizational equivalent designated by the board.

(11)"Limited appointees" means persons holding special appointments to administrative positions designated in s. 36.17, Stats., and ch. UWS 15, and who serve at the pleasure of the board or of the authorized official making the appointment.

(12)"Organization" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic.

(13)"President" means the president of the University of Wisconsin System.

(14)"Secretary" means the secretary of the board.

(15)"Unclassified staff" or "staff members" means faculty, academic staff and limited appointees of the University of Wisconsin System who are not subject to subch. III, ch. 19, Stats.
(16) "Vice President" means system administration officials with the title "Vice President" or other administrative officers with similar duties.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75; r. (1) (f), (l) and (j), renum. (1) (intro.), (1) (a) to (e), (g), and (h) to be (intro.), (4), (14), (13), (16), (5), (8) and (1) and am. (intro.), (5), (8) and (16), cr. (2), (3), (6), (7), (9) to (12) and (15), Register, January, 1986, No. 361, eff. 2-1-86.

UWS 8.025 Outside activities and interests; reports.

(1) Outside activities.

Members of the unclassified staff are free to engage in outside activities, whether or not such activities are remunerative or related to staff members' fields of academic interest or specialization. However, no member of the unclassified staff may engage in an outside activity if it conflicts with his or her public responsibilities to the University of Wisconsin System or the institution at which the unclassified staff member is employed.

(2) Reportable outside activities.

(a) The following outside activities must be reported to a staff member's Dean, director or other appropriate administrator:

1. Associations with organizations, as defined in s. UWS 8.02 (3) and (12), related to staff members' fields of academic interest or specialization;

2. Private remunerative relationships between staff members and non-governmental sponsors of university research for which the staff member is a principal investigator; and

3. Remunerative outside activities in a staff member's field of academic interest or specialization, including but not limited to consulting, and whether the staff member earns for such activities $5,000 or more in a year from a single source.

(b) Each unclassified staff member engaging in outside activities reportable under this section shall annually, on or before April 30, file a report of outside activities with his or her Dean, director or other appropriate administrator.

(c) If, during the year, significant changes in a staff member's reportable outside activities occur, the staff member shall immediately inform, in writing, his or her Dean, director or other appropriate administrator. This information shall be placed on file with the staff member's annual statement of outside interests.

(3) Institutional policies.

The unclassified staff members of each institution, with the approval of the Chancellor, shall develop policies and procedures which shall, at a minimum, provide:

(a) Standards concerning the use of university facilities and personnel in connection with outside activities;

(b) Standards concerning absence from regular duties for the purpose of engaging in outside activities;

(c) Guidelines identifying types or categories of outside activities which may result in a material conflict of interest; and

(d) For such reports of anticipated outside activities as are necessary to ensure compliance with s. UWS 8.04.

(4) Reports public.

Information required to be reported under this section shall, unless otherwise privileged by law, be a matter of public record.

Note: This section addresses outside activities. Several explanatory points provide relevant background:
(a) The section addresses matters heretofore handled under UWS 7 and 14, which are accordingly repealed. This change in the scope of UWS 8 was made in response to legislative suggestion.

(b) The rule recognizes the right of unclassified staff members to engage in outside activities, whether or not the activities are remunerative or related to staff members' fields of academic interest. However, in order to assure that such activities do not conflict with staff members' responsibilities to the University of Wisconsin System, or the institution at which the staff member serves, the rule provides that certain types of activities must be reported to staff members' deans, directors or other appropriate administrators. These reportable outside activities include associations with organizations related to staff members' fields of academic interest or specialization, certain private remunerative relationships between staff members and non-governmental research sponsors, and remunerative outside activities in staff members' fields of academic interest or specialization and whether the staff member earns $5,000 or more in a year from a single source. The language retains the requirements currently in UWS 7 and 14 that institutions develop policies to regulate the use of university facilities in connection with outside activities, and adds a similar requirement pertaining to use of personnel. It provides a more explicit requirement for institutional development of standards on absence from university duties, and for reports on outside activities which staff members anticipate they will perform during the academic year.

(c) Guidelines and suggestions will be provided to institutions for implementation of the Regent rule. These guidelines would include examples of standards concerning use of university facilities and absence from university duties that might be adopted under UWS 8.025 (3) (a) and (b); categories or types of activities which might present a material conflict of interest under UWS 8.025 (3) (c); reporting procedures under UWS 8.025 (4); and other relevant information.

(d) The rule incorporates and codifies the result of litigation between the Madison Capital Times and the UW-Madison. That case, decided in Dane County Circuit Court in the spring of 1983, held that UW-Madison reports of outside activities required under UWS 7 and 14 were records open to public inspection. This section continues the existence of the reporting requirements (UWS 8.025 (2)) and declares the public nature of the reports (UWS 8.025 (4)), except in those instances where other legal principles establish a privilege for the information contained therein.

(e) UWS 8.025 (1) indicates that the Regents' purpose is not to dictate the financial or topical terms of outside activity but to ensure that it does not present conflicts of interest or time with university duties. (See also Note to UWS 8.01 (3)).

(f) Forms required under this section for the reporting of outside activities may be obtained from the Office of the Secretary to the Board of Regents, Room 1860 Van Hise Hall, 1220 Linden Drive, Madison, Wisconsin 53706, at no charge.

History: Cr. Register, January, 1986, No. 361, eff. 2-1-86.

UWS 8.03 Standards of conduct.

(1) Personal gain from university position.

(a) No member of the unclassified staff may, in a manner contrary to the interests of the University of Wisconsin System, use or attempt to use his or her public position or state property, including property leased by the state, to gain or attempt to gain anything of substantial value for the private benefit of the staff member, his or her immediate family or any organization with which the staff member is associated.

(b) No member of the unclassified staff may solicit or accept from any person or organization anything of value pursuant to an express or implied understanding that his or her conduct of university business would be influenced thereby.

(c) No member of the unclassified staff may intentionally use or disclose confidential university information in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family or for any other person or organization with which
the staff member is associated.

(2) Contracting and leasing.

(a) No member of the unclassified staff, member of his or her immediate family, nor any organization with which an unclassified staff member is associated, may enter into any contract or lease involving payments of $3,000 or more within a 12 month period, derived in whole or in part from university funds, if the staff member is in a position to approve or influence, in his or her official capacity, the university's decision to enter into the contract or lease.

(b) If the staff member is not in a position to approve or influence the university's decision, the staff member may enter into a contract or lease described in par. (a) if the staff member first makes written disclosure of the nature and extent of any relationship described in par. (a) to the Dean, director, or other appropriate administrator and he or she approves. The Dean, director or other appropriate administrator shall approve a staff member's interest in a lease or contract unless he or she determines that the staff member's personal interest in the agreement will conflict substantially and materially with the staff member's discharge of his or her university responsibilities.

(c) This subsection does not affect the application of s. 946.13, Stats.

Note: This subsection repeals and amends provisions on contracting and leasing which are found in current UWS 8.03 (1).

(3) Nepotism.

(a) No member of the unclassified staff may participate, formally or informally, in the decision to hire, retain, grant tenure to, promote or determine the salary of a member of his or her immediate family.

(b) No member of the unclassified staff may, in the supervision or management of another unclassified staff member who is a member of his or her immediate family, give preferential or favored treatment.

(4) Student research protection.

A member of the unclassified staff shall inform students engaged in research under his or her supervision of any financial interest which the unclassified staff member has in the research activity, including, but not limited to, financial arrangements involved in the direct support of the activity, agreements made by the unclassified staff member to obtain data for the research, or agreements concerning copyright or patent rights arising from the research.

(5) Waiver.

The board may, upon written request and by action within a reasonable time of receipt thereof, waive any provision of this section whenever its literal application would be adverse to the best interests of the University of Wisconsin System or would work an unreasonable hardship on a member of the unclassified staff.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75; r. and recr. Register, January, 1986, No. 361, eff. 2-1-86.

UWS 8.035 Institutional Ethics Committee.

Each institution shall establish a committee, or designate an existing committee, whose function shall be to provide to any member of the unclassified staff consultation and advice on the application of this chapter. Committee deliberations and actions upon requests for consultation or advice shall be in meetings not open to the public. Records obtained in connection with requests for consultation or advice shall be considered confidential university information. However, summaries of advice provided by institutional ethics committees, which do not disclose the identities of persons requesting such advice, shall be made public in an annual report.

History: Cr. Register, January, 1986, No. 361, eff. 2-1-86.

UWS 8.04 Action to avoid possible conflict.
(1) When it appears that a material conflict may arise between the personal interests of a staff member and his or her public responsibilities to the university, the staff member shall notify his or her Dean, director, or other appropriate administrator by submitting a written statement describing the nature of the possible conflict.

(2) Within 15 days after receipt of the statement, the Dean, director or other appropriate administrator shall advise the staff member in writing that:

(a) There is no conflict prohibited by this chapter and the staff member may proceed; or

(b) There may be a conflict and further consultation is necessary prior to reaching a determination; or

(c) There is a conflict which must be resolved in one of the following ways:
   1. The staff member shall not proceed with his or her university duties which result in the conflict, so long as the conflict remains; or
   2. The staff member shall not proceed with his or her personal interests which result in the conflict, so long as the conflict remains.

(3) If the staff member is advised that sub. (2) (c) 1 or 2 applies to his or her case, the staff member, within 15 days after notice of the decision of the Dean, director, or other appropriate administrator, may appeal the decision under ch. UWS 6 or 13.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75; r. and recr. Register, January, 1986, No. 361, eff. 2-1-86.

UWS 8.06 Reports.

The President, Vice Presidents, Chancellors, and all contracting personnel shall annually, on or before April 30, file a statement of economic interest with the secretary. The statements shall be filed on a
form provided by the secretary, and shall be considered matters of public record. The statements shall contain the information required by s. 19.44, Stats.

Note: This section makes public the statements of economic interest filed with the secretary of the board by the President, Vice Presidents, Chancellors and all contracting personnel. It specifies that the statement is to contain the information specified in s. 19.44, Stats., which sets forth the form of the statement of economic interests filed by public officials governed by the state ethics code.

History: Cr. Register, June, 1975, No. 234, eff. 7-1-75; am. Register, January, 1986, No. 361, eff. 2-1-86.


Chapter UWS 8, Wis. Admin. Code, may require unclassified staff members to make a report of their outside activities to their appropriate administrators (i.e., Dean/Director of Polk Library, Assistant Vice Chancellor, Vice Chancellor, Executive Director Budget/Controller, Provost and Vice Chancellor or Chancellor). Specifically, unclassified staff members should read sections UWS 8.025, (1) and (2); and UWS 8.04.

Citing guidelines prepared by System, a report must be filed if there is an affirmative answer to any of the inquiries of Section 8.025 (2). The reporting form requires information to be provided in the following situations:

1. Where a staff member or a member of his or her immediate family serves as an officer, director or trustee of a business or other organization (other than a professional society) related to the staff member’s field of academic interest or specialization [sec. 8.025 (2)(a)1], the name and geographic location of the organization and the position held must be provided;

2. Where a staff member or a member of his or her immediate family, individually or in the aggregate, owns or controls at least 10% of the outstanding equity of any business or organization related to his or her field of academic interest or specialization [sec. 8.025 (2)(a)1], the name and geographic location of the business or organization must be provided;

3. Where a staff member maintains a private remunerative relationship with any non-governmental sponsor of University research for which the staff member is or was during the past year the principal investigator [sec. 8.025(2)(a)2], the name and geographic location of the business or organization must be provided; and

4. Where a staff member performs remunerative consulting or other services in his or her field of professional interest or specialization for any business or organization [sec. 8.025(2)(a)3], the identity of the organization, the type of activity or business in which it is engaged, the aggregate amount of time spent on the activity, and whether the staff member earned more than $5,000 from a single source must be provided; if disclosure of the name of a business or organization would be inappropriate, identification of the nature of the business may suffice.

The report is due to the unclassified staff member's appropriate administrator annually on or before April 30. This report is for the calendar year April 30 to April 30. Section UWS 8.04 may require unclassified staff members to report anticipated outside activities in specific instances. The information contained in these reports shall be considered matters of public record.

Reporting the summer activities of academic year employees is not specifically addressed in the code. Although summer activities performed when staff members are not under contract to the University may not give rise to a conflict of interest or extend into the academic year, the suggestion has been made that this situation should be viewed as a specific case and the unclassified staff member should consult with his/her supervising administrator.

The University's Institutional Ethics Code Committee (reference, UWS 8.035) is available to provide consultation and advice regarding the application of Chapter UWS 8. Requests should be submitted in writing to the Provost and Vice Chancellor's Office.

The reporting forms are available from the Provost and Vice Chancellor's Office.

Faculty and academic staff of the University of Wisconsin Oshkosh are permitted broad participation in public service and other endeavors while meeting teaching, scholarly and University service responsibilities. While activities outside the institution can enhance professional expertise and teaching skills, care should be taken so that excessive participation does not unduly affect institutional programs. This section shall not pertain to paid or unpaid leaves of absence, absences from campus of short duration for activities normally associated with institutions of higher education such as attendance at professional meetings or professional speaking engagements. These absences are covered elsewhere in University policies.

1. Faculty and academic staff must obtain the consent of their department chairperson/equivalent prior to engaging in outside activities which will prevent them from meeting a class or carrying out other University responsibilities and activities for which they are normally scheduled. Faculty and academic staff are responsible for making arrangements as far in advance as possible to ensure that the scheduled activity is appropriately covered and to inform the chairperson or director of those arrangements prior to the absence.

2. Faculty and academic staff members must obtain the consent of their department chairperson and Dean/equivalent prior to participation in any extensive, recurring or continuing outside activity. An extensive, recurring or continuing outside activity is defined as one which requires participation during a period of assigned responsibilities, for a period of time equivalent to one day a week for a period of seven or more weeks per year.

3. Faculty outside activities shall be reported as required under UWS 8.025. A departmental chairperson or Dean, however, may ask for a conference with any person whose outside activities of any nature appear to be in conflict with the performance of his/her scheduled responsibilities.

In any instances where the conference does not result in agreement between the chairperson or Dean and faculty member concerning outside activities and the responsible fulfillment of scheduled University activities, the chairperson or Dean may then ask that these activities be reviewed through the consideration and appeal process, described below in the next section.


1. In most instances where differences exist concerning outside activities and the performance of an individual's institutional responsibilities, those differences should be resolved, agreement reached, and approval given at the lowest administrative level.

2. Where differences exist and cannot be resolved through a conference between the supervisor and individual, the case shall be referred in writing via statements from both the supervisor and individual to the Dean, Assistant Vice Chancellor, or Vice Chancellor, as appropriate, within 14 calendar days following the final conference between the supervisor and the individual. The Dean/Assistant Vice Chancellor/Vice Chancellor shall then, within 14 calendar days after receipt of the written information, review that information, confer with both parties, and render a decision.

3. If both parties agree to accept the decision, the matter shall be considered closed. If one party does not accept, then the case shall be referred in writing by the Dean/Assistant Vice Chancellor/Vice Chancellor and the disagreeing party, within 14 calendar days after the final conference, to the President of the Faculty Senate (or the Senate of the Academic Staff, as appropriate) for referral to a hearing committee as per FAC 9.A.2. or GOV 4.3.C.

4. The committee shall, within 14 calendar days after receiving the written statement, complete its investigation of the case and make a recommendation to the Provost and Vice Chancellor via the President of the Senate. The Provost and Vice Chancellor shall, within 14 calendar days after receipt of the written statement, review that statement and conduct any other investigation deemed necessary and render a decision which shall be final. The decision of the Provost and Vice Chancellor shall be communicated in writing to the individual, all supervisors, the President of the Senate and the Chancellor. If the disagreement occurred within the purview of a Vice Chancellor, the Vice Chancellor may appeal to the Chancellor.

Current and complete records of outside activities of a recurring or continuing nature shall be main-
tained in the individual's personnel files.


1. **Filing Requirement.**

   Consistent with applicable federal regulations (Federal Register Vol. 59:33242-33251 and
   33308-33312, June 28, 1994 and Federal Register Vol. 60:35810-35823, July 11, 1995), and
to assure timely processing of applications for federal funding, an investigator who is planning
to participate in a federally funded research or educational activity must submit a University of
Wisconsin Oshkosh Investigator's Financial Disclosure Form (IFDF) to her/his department
chair or director prior to University transmittal of their proposal to a federal agency. The regu-
lations define "investigator" as the principal investigator and any other person who is respon-
sible for the design, conduct or reporting of federally funded research or educational activities.
(Note: In some circumstances students, technical personnel and administrators may not be
"responsible," but in other circumstances they may be, in that they are given responsibility for
a task that could have a significant effect on the design, conduct or reporting of the research
or educational activities.)

2. **University's Institutional Ethics Code Committee.**

   The University's Institutional Ethics Code Committee (IECC) is available to provide consulta-
tion and advice regarding the application of these regulations. This committee will conduct the
review of potential conflicts arising under this policy. The committee shall meet as necessary
to carry out its responsibilities under this policy.

3. **Review Process.**

   Within 10 working days of receipt, the investigator's department chair or director must review,
sign, and forward the IFDF to the appropriate Dean.

   The Dean shall review the IFDF within 10 working days of its receipt. If the Dean determines,
after review of the IFDF, that no conflict of interest exists, s/he shall notify the investigator and
the Office of Grants and Faculty Development of the determination. Upon such a determina-
tion by the Dean, the expenditure of any awarded research funds may proceed.

   If the Dean determines, after reviewing an IFDF, that a potential for conflict of interest exists,
s/he will notify the investigator, the IECC, and of the Office of Grants and Faculty Develop-
ment of the potential conflict of interest. If the investigator with a potential conflict of interest
decides to proceed with a submission of a proposal to a federal agency, the investigator must
also send an abstract of the proposal and an explanation of why there is no conflict, or an ex-
planation of potential solutions to the conflict, to the IECC. If, after review of the submitted
documentation, the IECC decides there is no conflict of interest, the IECC will notify the inves-
tigator, the Dean, and Office of Grants and Faculty Development. [A "no conflict of interest"
determination could arise in the following circumstances: if the investigator's income is not
from a "for profit" business; or, if the investigator's income is from textbook writing.]

   If the IECC decides that a conflict of interest does exist, it will convene a meeting with the in-
vestigator and the investigator's Dean. At the meeting, any party may suggest ways to elimi-
nate, resolve or manage the conflict of interest. [One way a conflict could be managed is for
the IECC to appoint a 2-3 member project oversight committee. Ideally, members of a project
oversight committee would have expertise in areas related to the investigator's proposed re-
search area. All project oversight committees would be required to file annual reports with the
IECC concerning their ongoing role in the management of the conflict. Section 50.605 of Sub-
part F, 42 CFR Part 50, includes several other suggestions for managing a conflict of interest.]

   If the IECC, the investigator, and the Dean all agree on how to manage a conflict, the IECC
will notify the Office of Grants and Faculty Development that the conflict of interest is man-
ageable and that the University can expend the federal grant if awarded.

   If a conflict cannot be resolved or managed by the above process, an appeal process shall be
provided. If an investigator requests an appeal, the investigator's Dean shall convene and
preside over a three to five-member appeals committee, consisting of at least one representa-
tive from the IECC, and other qualified persons appointed by the Chancellor.

If the conflict is resolved or managed through the appeal process, the Office of Grants and Faculty Development shall be notified that the conflict of interest is manageable and the University can accept the federal grant if awarded. If the conflict is not resolved or managed through the appeal process, the University may not expend the federal grant.

If, during the course of the year, circumstances concerning an investigator’s significant financial interests change, the investigator shall submit a revised IFDF to his/her department chair or director, and the above steps for reviewing the revised IFDF shall be followed.

The Office of Grants and Faculty Development will maintain records of all investigator financial disclosures and of all actions taken to resolve or manage potential conflicts of interest for at least three years after the termination or completion of the award to which they relate.

(4) Forms.

Forms are available in the Office of Grants and Faculty Development.
GEN 3. Employment Considerations.

Part B. Benefits.


GEN 3.B.5. Religious Observances Awareness Statement


GEN 3.B.11. Faculty Absences from Regular Duties.


GEN 3.B.14. Service as an Expert Witness or to Agencies Granting Funds.


GEN 3.B.17. Graduate Course Enrollment.

GEN 3.B.18. Use of University Facilities.


(1) The following insurance benefits are available to faculty and academic staff who are participants in the Wisconsin Retirement System. Information regarding eligibility dates, monthly rates, and applications are available in the Human Resources Office.

(a) Accidental Death and Dismemberment - coverage available for employee, spouse, and dependent children; domestic partners and his/her dependents may be eligible upon completion of the “Affidavit of Domestic Partnership” form

(b) Additional Term Life Insurance - coverage available for employee, spouse, and children; domestic partners and his/her dependents may be eligible upon completion of the “Affidavit of Domestic Partnership” form

(c) Catastrophic Insurance - major/medical and some dental coverage available to employee, spouse, and dependent children

(d) Dental Insurance - some dental coverage available for employee and family; domestic partners and his/her dependents may be eligible upon completion of the “Affidavit of Domestic Partnership” form

(e) Group Health Insurance - comprehensive medical and hospitalization for employee, spouse, and dependent children

(f) Group Life Insurance - term life coverage available for employee, spouse, and dependent children

(g) University Insurance Association - mandatory term life insurance for all employees earning a specified monthly salary

(2) The following insurance benefits are available to faculty, graduate assistants, and academic staff who do not contribute to the Wisconsin Retirement System but who are employed at least one-third time. Detailed information regarding eligibility, monthly rates, and applications are available in the Human Resources Office.

(a) Accidental Death and Dismemberment - coverage available for employee, spouse, and dependent children; domestic partners and his/her dependents may be eligible upon completion of the “Affidavit of Domestic Partnership” form
(b) Additional Term Life Insurance - coverage available for employee, spouse, and children; domestic partners and his/her dependents may be eligible upon completion of the “Affidavit of Domestic Partnership” form

c) Catastrophic Insurance - major/medical and some dental coverage available to employee, spouse, and dependent children

d) Dental Insurance - some dental coverage available for employee and family; domestic partners and his/her dependents may be eligible upon completion of the “Affidavit of Domestic Partnership” form

e) Group Health Insurance - comprehensive medical and hospitalization for employee, spouse, and dependent children

(f) University Insurance Association - mandatory term life insurance for all employees earning a specified monthly salary (not available to graduate assistants)


UWS 10.04 Unclassified Staff Sick Leave Policy. (Revised 12/19/07)

Certification of Medical Necessity Requirement for Faculty, Limited Appointees, and Academic Staff use of Sick Leave:

(1) UW institutions shall require written certification from a health care provider of the medical necessity for use of sick leave for absences of more than 5 consecutive full working days, except where the use of sick leave is authorized in advance.

(2) Where an institution is aware of an emergency that prevents communicating with or obtaining information about the condition of the employee, such written certification shall not be required until such time as communication is possible and appropriate, given the condition of the employee.

(3) In cases of suspected abuse of the sick leave privilege, the institution shall be authorized to require written certification from a health care provider to verify the medical necessity for the employee’s absence regardless of the length of absence.

Sick leave is earned by all faculty and academic staff who are employed for one year for at least one-third of what is considered full-time employment. Full-time employees are awarded 22 days of sick leave for the first 1.5 years of service. Subsequently six days per semester are earned by academic year employees and one day per month by annual employees with a maximum accumulation limited to 12 days per year. Less than full time employees earn a proration of sick leave. Sick leave credits are not accumulated during any period of unpaid leave.

(1) Sick leave accumulates from year to year. Unused sick leave credits are converted to dollars to be used to purchase health insurance at retirement.

(2) For full-time appointments, sick leave is used in increments of half or full days. Persons who are absent due to sick leave usage for less than two hours are not required to report sick leave usage. Absences between two and six hours are recorded as one-half day usage. Absences over six hours are recorded as full day usage. Sick leave is not required to be used on weekends unless the weekend is part of the employee’s 40-hour work week. Employees with less than full-time appointments must report actual hours absent. Sick leave used during Summer and Interims by academic year employees should be reported in actual hours.

(3) Use of sick leave is recorded monthly on a leave accounting report. The report is completed by the employee (whether or not any leave is used), approved by Department Chair/Dean/Director, and returned to the Human Resources Office for recording. Faculty on sabbatical must continue to complete and return a monthly leave accounting report. A statement is provided to covered employees indicating sick leave balance as of the end of the previous month. An annual statement is provided to each employee recapping the previous academic/fiscal year.

(4) Effective with sick leave accrued in fiscal year 2007-08, any employee who fails to file a report on leave usage as required by UW System policy in one or more months of any year shall not
be permitted to accrue sick leave for that year in an amount exceeding the cap established by 40.05(4)(bp)1., Wis. Stats. (i.e., 8.5 days for an annual unclassified employee or 6.4 days for an academic year unclassified employee.

(5) Faculty granted sabbatical leave shall earn sick leave at the same rate as was in effect immediately before the sabbatical leave began. A faculty member who is absent from work during a sabbatical leave for a reason covered under sick leave must report the sick leave usage.

(6) Sick leave may be used for absence due to personal illness (including doctor/dentist appointments), injury, disability, pregnancy, or adoption; attendance upon an immediate family member whose health or medical condition requires the employee’s direct care (including doctor/dentist appointments); and the death of an immediate family member. Three days of sick leave may be used for attendance at funerals of family members. An additional four days of sick leave may be used for travel if needed. Accumulated sick leave can also be used for attendance upon an immediate family member, including a domestic partner, whose health or medical condition requires the employee’s direct care.

(7) Teaching responsibilities not met because of an absence identified in section (6) above must be reported as sick leave, regardless of whether a qualified instructor covers the teaching responsibilities. Teaching responsibilities include: class time preparation, actual classroom instruction, and scheduled office hours.

(8) Sick leave during summer session may be used provided inception of the illness occurs on the first or subsequent day of summer session.

(9) Sections 40.95 and 230.12(9), Wis. Stats., provides supplemental sick leave hours at retirement to employees with 15 or more years of continuous service, within certain maximums. These supplemental hours are added to the existing sick leave balance and the total is multiplied by the highest base rate of pay to pay future healthcare premiums. This benefit also allows, within limitations, the restoration of an additional 500 hours of sick leave is at least 500 hours of sick leave were used to cover a single illness occurring in the final three years of employment. These credits may not be converted into any type of cash equivalent.

(10) For the purposes of collecting and reporting sick leave, each full-time unclassified employee will designate a work week consisting of 40 hours as required by 40.05(4)(bp)3.a., Wis. Stats. The work week will be pro-rated for a less than full-time appointment. The work week will include all scheduled classes, office hours and research, as well as other regular University meetings and professional activities.

a) For purposes of this section, a normal work week is deemed to consist of 40 hours worked within a fixed and regularly recurring period of seven consecutive days. Hours worked per day may vary.

b) The work week will be defined either by: automatic consent to the standard business week Monday through Friday for 7:45 a.m. to 4:30 p.m.; or by mutual agreement, in writing, with the department chair or other designated supervisor.

(11) Information regarding sick leave may be obtained from the Human Resources Office.


All full time unclassified annual appointees shall have 22 working days (176 hours) per fiscal year for vacation. Annual appointees whose appointment is at least one-third time for a fiscal year will earn a proration of the 22 days of vacation per year. Annual appointees whose appointment is less than one-third time for a fiscal year will not earn vacation.

The following conditions apply to vacation usage.

(1) Immediate supervisor must approve all requests for vacation.

(2) Up to 22 unused vacation days earned in one fiscal year may be carried forward to be used the next fiscal year.

(3) Official records are kept in the Human Resources Office. Vacation used is recorded monthly on the Leave Statement by the employee, signed by the Dean/Director and forwarded to the
Human Resources Office for recording. A monthly leave accounting statement is provided to
the employee indicating vacation balances.

(4) Employees hired from other state agencies may transfer unused vacation to the University of
Wisconsin Oshkosh. Employees leaving the University of Wisconsin Oshkosh for employment
with another state agency may transfer unused vacation if the details with the other state
agency can be agreed upon.

(5) If an annual appointee is to leave the University of Wisconsin Oshkosh and the unused vaca-
tion cannot be transferred or if the employee retires or transfers to an academic appointment,
the employee is encouraged to use all accrued vacation time before the annual appointment
is terminated. If the vacation cannot be used prior to termination, payment of unused earned
vacation will be made.

(6) An adjustment to the final pay check of terminating employees will be made for anyone using
more vacation than has been accrued.

(7) Staff who have completed ten or more years of State of Wisconsin service as of June 30 in
appointments earning vacation, or as unclassified university participants in the Wisconsin Re-
tirement System, may, at their option, reserve up to five days of vacation (prorated for part-
time employees) each fiscal year in an Annual Leave Reserve Account (ALRA). There is no
maximum on the lifetime accumulation in an ALRA. Vacation accumulated in an Annual Leave
Reserve Account may be used at any time subject to supervisor approval, or will be paid out
at the time of resignation or retirement.

(8) Faculty, Academic Staff and Limited Appointees, with annual pay basis appointments, who
have completed 25 years of service as of June 30 may “bank” up to 10 days of paid annual
leave in ALRA. For staff whose appointment is less than full time, the 10 days will be prorated.

(9) The years of service eligibility is determined on June 30 of each year for eligibility to “bank” or
elect a cash option in the following fiscal year. Years of service are defined as years of State
of Wisconsin service earning vacation, or as unclassified university participants in the Wiscon-
sin Retirement System.

The State of Wisconsin observes nine paid holidays in addition to vacation. (s.230.35(4)(a))

(1) January 1
(2) Third Monday in January
(3) Last Monday in May
(4) July 4
(5) First Monday in September
(6) Fourth Thursday in November
(7) December 24
(8) December 25
(9) December 31

If January 1, July 4, or December 25 falls on Sunday, the holiday will be observed on Monday. If a
holiday falls on Saturday, the employee may use the holiday anytime after that date in the same cal-
endar year, with the approval of the immediate supervisor.

On other legal and religious holidays the University remains open. However, the University is ob-
ligated to accommodate any employee who requests vacation or personal holiday time off for reli-
gious reasons. Employees may not be ordered to work if they advise a supervisor that religious
beliefs require them to refrain from work on a specific day.

Personal Holidays: Faculty, Academic Staff and Limited Appointments with an annual pay basis re-
ceive four and one-half days of Personal Holiday each fiscal year. Staff whose appointments are
less than full time receive a proration of the entitlement. The four and one-half days are granted
on July 1 or the employee’s date of hire and expire at the end of that fiscal year. Personal holidays
not used prior to resignation or retirement may be converted to cash payment at that time.

GEN 3.B.5. Religious Observances Awareness Statement

The University of Wisconsin Oshkosh, complying with Title VII of the 1964 Civil Rights Act, and in ac-
cordance with its commitment to diversity in employment, supports awareness of its employees’ reli-
gious observances. Employees represent many different religions, and the University seeks to be
sensitive to individual needs by balancing work requirements and the private exercise of religious be-

If an employee would like time off for a religious observance, the employee must consult with his or
her supervisor. For employees who accrue leave, the time off would be taken from the employee’s
accrued leave or it could be taken without pay. Employees who do not accrue leave would need to
make appropriate arrangements within their department/unit concerning the time used. The University
will respect the sincerely held religious beliefs of employees and grant the requested time off, unless
an accommodation would result in undue hardship for the unit involved. If resolution to a request for
time off cannot be achieved at the supervisory level, the Office of Equity and Affirmative Action may
be consulted for advice.

Additionally, efforts should be made to take into account religious holy days and observances when
scheduling meetings and other University events, with the understanding that conflicts with such holy
days and observances could be unavoidable given the scheduling needs of the University.


(1) Family and medical leave does not constitute a break in continuous service for faculty (ch.
UWS 3.04(s), Wis. Admin. Code) or academic staff (UWS 10.3(2)(a)3, Wis. Admin. Code).
When the leave is due to childbirth or adoption, or significant responsibilities with respect to
the employee’s own or a family member’s disability or chronic illness, and whose circum-
stances could significantly impede progress toward achieving tenure, that leave is not includ-
ed in the seven-year probationary period. (Faculty may wish to review FAC 3.2.B. for stop-
ning or suspending the tenure clock.) Faculty and academic staff may be granted up to a year
probationary extension for the birth or adoption of a child.

(2) The federal Family and Medical Leave Act of 1993 (FMLA) provides up to 12 weeks per fiscal
year of job-protected unpaid leave with continued medical benefits for employees who have
worked for at least 1,250 hours of service during the 12-month period preceding the beginning
of the leave. Leave can be requested to care for your child after birth, adoption or foster care
placement, to care for a legal spouse, child, or parent (but not the spouse’s parent) with a se-
rious health condition, or for an employee’s own serious health condition. If both parents work
for the University each would be eligible for a total of twelve weeks of leave. When both em-
ployees work for the same department within the University the employees should make a
reasonable effort to consider the impact on the employing department. Should the employee
not be eligible under the federal Family and Medical Leave Act, he/she may be considered
under the Wisconsin Family and Medical Leave Act.

(3) An employee with a domestic partner who will give birth to a child, adopt a child, or is placed
with a foster child is eligible for federal Family and Medical Leave for the birth or care of the
child if the employee has become a legal guardian of the child. The employee is eligible for
federal FMLA for a child with a serious health condition if he/she has become a legal guardian
of the child.

(4) The Wisconsin Family and Medical Leave Act (WFMLA) provides up to ten weeks per fiscal
year of job-protected unpaid leave with continued medical benefits for employees who have
worked for at least 1,000 hours during the 52-week period preceding beginning of the leave.
Leave taken for family medical leave must run concurrently under FMLA, WFMLA and other
leave available to university employees. Thus, the leave available under the various provi-
sions is exhausted simultaneously.

(5) Under both laws, the employee must be returned to the same position or an equivalent posi-
tion after the end of the leave with no loss in pay, benefits, or other terms and conditions of
employment. In addition, the employee’s group health coverage must be maintained under
the same conditions as existed prior to the leave.

(6) The family medical leave laws assume the employee will not be paid, but allows the use of
accumulated leave (sick leave, vacation, personal holidays, ALRA) to remain in paid status
during the leave.

(7) Medical certification may be required by the employer; leave may be denied until the receipt of
the required certification.

(8) An employee may take intermittent or reduced leave in connection with the serious health
condition of a spouse, child or parent, his/her own serious health condition, or the birth of a
child or placement of child for adoption or foster care with the employer's approval. The em-
ployee must work with the supervisor to schedule such intermittent or partial leave so it does
not unduly disrupt the employer's operations.

(9) Family leave may commence before the birth or placement but must conclude within one year
after birth or placement. At least 30 calendar days' notice may be required if the need for
leave is foreseeable. If leave is not foreseeable, the employee shall provide as much notice as
is practicable. Contact the Human Resources Office for information regarding Federal Family
Leave Act and Wisconsin Family Leave Act regulations regarding leave usage.

(10) Under both the federal and state family medical leave laws, if the employee does not return
from leave, or terminates employment within 30 days of returning the employer may recover
the health insurance premiums paid during the leave.

(11) Unclassified staff are guaranteed specific terms of leave to donate bone marrow or a human
organ. This leave benefit guarantees an individual 5 days to recover for donating bone mar-
row and 30 days for donating an organ. During these periods, the donating individual is not
required to charge sick leave or their vacation entitlement. (See UPG 10.08.) The donor must
complete an institutional notification form, see UPG #10, Attachment 3, Intent to Donate Bone
Marrow or a Human Organ, notifying the institution of his/her intent to donate bone marrow or
a human organ.


Faculty and Academic Staff members are, in special circumstances determined by the Chancellor or
designee, able to donate leave to another unclassified staff member who has exhausted all paid leave
benefits. Catastrophic leave is administered in accordance with UPG 9.07 Catastrophic Leave of the
University of Wisconsin System Unclassified Personnel Guidelines. Procedures for applying for cata-
strophic leave for unclassified (and classified) employees can be found on the Human Resources Of-

cine web site. http://www.uwosh.edu/hr/

Board of Regents Resolution 8227 (October 6, 2000) established a catastrophic leave plan for faculty
and academic staff. Where in the judgment of the Chancellor or designee, special circumstances val-

idate the need, unclassified staff may at their option donate leave to another unclassified staff who has
exhausted all paid leave benefits. Only vacation, personal holidays, floating holidays and leave
“banked” in an annual leave reserve account may be donated. Sick leave may not be donated.

Catastrophic illness is defined as any illness, medical condition or injury that incapacitates, or is ex-
pected to incapacitate a staff member or a staff member’s “immediate family member,” (to include a
domestic partner) as defined in Unclassified Personel Guideline (UPG) #10.01, and that requires the
staff member’s personal attention for an extended period of time.

Leave may be donated as frequently as the unclassified donor desires but must be donated in full day
increments only. Donated leave will be transferred to a leave account for the recipient’s use.

In order to qualify for the receipt of donated leave under this program the unclassified staff member
must satisfy the following conditions:

(1) Be on an approved unpaid leave of absence due to a catastrophic illness or medical condition
of the staff member or the staff member’s “immediate family member” (to include a domestic
partner) as defined in UPG #10.01.
(2) Provide sufficient information, in writing, to the Chancellor or designee, to conclude a catastrophic illness or medical condition exists. Such information or correspondence shall be treated in a highly confidential manner due to the sensitivity of the personal/medical nature of the request.

(3) Must have exhausted all paid leave benefits available to him/her including sick leave.

All unclassified staff may benefit from leave donated under this program. Recipients of donated leave will not be limited to vacation earning positions. The recipient retains all future rights and interest in the leave donated, credited to their account, under this program. The recipient may use the leave donated in any amount up to the percentage of his/her budgeted position.

Leave donated under the Catastrophic Leave program may be used to meet the Income Continuation Insurance (ICI) elimination period. At no time may payments received under the Catastrophic Leave Program and the ICI program, or any other state sponsored income replacement program, be collected simultaneously.

Unclassified leave can not be donated to classified staff or vice versa.

**GEN 3.B.8. Saving for Retirement.**

Tax Sheltered Annuities and Deferred Compensation (403B and Sec. 457 plans) are available through payroll deduction for all employees. Information is available in the Human Resources Office.

**GEN 3.B.9. Travel Regulations.**

Permission for unclassified employees to travel as representatives of the University comes from the Chancellor, Provost and Vice Chancellor, Vice Chancellors, Associate Vice Chancellor, Assistant Vice Chancellors or Deans. For departmental members, the recommendation of the department is also needed.

When a faculty or academic staff member receives permission for travel under an expense account, reimbursement will be made for expenses incurred, subject to limitations imposed by the approving units and state regulations. For transportation, the University utilizes, whenever possible, its own vehicles. Requests for reservations are made with Facilities Management as far in advance as possible. The reservations will need to include the date, departure time, returning time, destination, and passenger list. It is extremely important that the vehicle be returned at the time indicated in the reservation, and that keys and reports be returned in accordance with the instructions of the dispatcher.

The faculty or academic staff member signing out a University vehicle assumes responsibility for the observance of all legal regulations in the operation of the University vehicle. The driver is covered by University liability insurance. Additional information regarding insurance coverage, driver authorization regulations, etc., is available through the Office of Facilities Management. The faculty or academic staff member signing out a University vehicle assumes responsibility for the conduct of any students involved in the trip.

If the faculty or academic staff member uses a non-state car on official state business, the primary insurance coverage is supplied by the owner/operator of the vehicle. The state has excess liability coverage in situations where liability actions exceed owner/operator coverage. More complete information may be obtained from the University of Wisconsin Oshkosh Risk Management Office.

When a trip is completed, the faculty or academic staff member files an accounting of all approved expenditures with the Controller's Office through the department office. Forms may be obtained from the Department Chairperson or equivalent. The Travel Expense Report form may also be found by going to the campus home page, clicking on Index and going to Financial System Forms. When the Travel Expense Report Form is filed, receipts for all motel and transportation expenses in excess of $25.00 must be attached, along with meal expense receipts that exceed the guidelines as established by state regulations with a justification for going over the allowed maximum. It is requested that all expenses be filed promptly. Failure to file within 30 days will result in an extended delay in processing.

The Travel Regulations, along with other helpful travel information, may be accessed at: http://www.uwsa.edu/fadmin/travel.htm.

(1) There are instances when individuals will need to be off campus on university business that is not part of their normal routines. Such occasions might include absences for professional matters such as recruiting trips, attendance at professional meetings, serving as a speaker for an organization for training purposes, etc. To ensure insurance coverage, proper forms will need to be filed and appropriate approvals obtained. Forms and approval processes vary among colleges and units. Contact your department chair, dean's office or other immediate supervisor for the necessary requirements.

(2) Travel Reimbursement Requests.

All University departments require pre-approval for reimbursement for out-of-state and/or in-state travel. Levels of funding, approval processes, and forms vary among colleges and other units. Each unit has unique requirements but all must meet the restrictions and procedures imposed by the State of Wisconsin. Contact your department chair, dean's office or other immediate supervisor for the necessary requirements.

GEN 3.B.11. Faculty Absences From Regular Duties.

This section does not pertain to paid or unpaid leaves of absence, which are subject to rules and policies of the Board of Regents. It is the responsibility of every member of the faculty, as a professional and legal obligation, to meet his/her classes.

Should a faculty member need to be absent from his/her duties for reasons within the individual's control, prior permission must be obtained from the immediate supervisor (chairperson/director), and the faculty member will make arrangements appropriate to the needs of his/her students. Decisions of the supervisor may be appealed to the Dean. When an absence is necessary for reasons beyond the individual's control (e.g. sudden illness), the immediate supervisor will be informed of the absence as early as possible and of the reason for the absence.

If an absence under the provisions of this section is one of a continuing nature, the faculty member shall discuss with his/her Dean/director (with the knowledge of the department chairperson or equivalent) whether the absences are in the best interest of the University and the State of Wisconsin. If permission to continue absences is not granted by the Dean, the faculty member and the Dean should discuss whether a leave of mutual consent would be in order. The faculty member may appeal the Dean's decision through subsequent levels of authority to the level of the Chancellor.


Faculty and academic staff members who are summoned for jury duty are entitled to a paid leave of absence for absence required pursuant to the summons (and subsequent service on a jury). No deduction shall be made from pay (nor shall there be an interruption in pay) due to any leaves of absence that are caused by jury duty. [Reference Section 230.35 (3) (c), Wisconsin Statutes.]

Once summoned for jury duty, faculty and academic staff members should make appropriate arrangements with their immediate supervisor. Copies of the summons may be requested for inclusion in the personnel file.


(2) University Policy.

Requests for leaves should be initiated as far in advance as possible so adequate staffing preparations can be made by the unit. The request should be sent to the supervisor for recommendation to the appropriate Vice Chancellor or equivalent. The request should indicate the reasons for the leave of absence, and list the beginning and ending dates of the leave.
Programmatic consideration and the need for program continuity are two factors that will be considered.

It is also possible to request a part-time leave of absence, and in this case the letter should also indicate the percent of time the individual wishes to be on leave.

Academic Staff: A leave of absence or professional improvement assignment shall not constitute a break in service nor shall it constitute any part of continuous service. Leaves of absence shall count toward seniority as applied to layoff (ACS 14.4).

Faculty: Leaves of absence without pay shall not count toward tenure, nor shall they constitute a break in service.

An employee on leave of absence is eligible for increases in pay following the normal procedures used during salary administration each year.

GEN 3.B.14. Service As An Expert Witness Or To Agencies Granting Funds.

(1) All service as an expert witness or advisor to a party in any judicial or administrative actions should normally be reported in advance, in writing, to the appropriate Dean or director. If the faculty member chooses not to follow this procedure, he/she must ensure that it is made clear that he/she is acting as a private citizen and that his/her activity is not sanctioned by the University.

(2) Any faculty member who is asked to serve as an advisor or administrator to a public or private agency which grants money or decides policy for grants shall ascertain in advance that his/her participation will not adversely affect the University's eligibility for funds through the agency involved. This information shall be reported to the Chancellor through the appropriate Dean or director.


UWS 9.10 Leave Reporting

The UWS Service Center will provide each unclassified staff a monthly report detailing their official leave balances. Each unclassified staff member is required to complete, sign and file a monthly leave report whether or not leave is used. The leave report must contain the written attestation, “I certify that my leave report is accurate. I understand that misrepresentation can lead to disciplinary action.” The monthly leave report must also be signed by the unclassified staff member’s department chair, director, supervisor or designee. The designated signatory for the Chancellor’s monthly leave report is the Provost/Vice Chancellor (deputy) or the CBO/Vice Executive Senior Vice President. http://www.uwosh.edu.hr/


(1) UW System Policy.

The University of Wisconsin System policy regarding tuition reimbursement for authorized coursework and training is described in the General Administrative Policy Paper 25 (GAPP 25), Revision 4 -9/85.

(2) Campus Guidelines.

The following institutional guidelines are drawn from GAPP 25. A faculty or academic staff member with half-time or greater appointment may qualify for the reimbursement policies. Payment shall be from institutional/departmental budgets. Requests for coursework or training are initiated by the employee and reviewed and approved or disapproved through all administrative levels. Normally coursework is taken on an employee’s own time. Approval of a reimbursement request is dependent upon availability of funding.

The following three items must be submitted when requesting reimbursement:

(a) Evidence of prior approval/agreement between the University and the employee including a statement of job or career relatedness of coursework or training.

(b) Evidence of having paid reimbursable fees (i.e., fee receipt)
(c) Evidence of successful completion of the coursework or training (i.e., grade report or certification of completion)

The following section summarizes the policies which apply to faculty and academic staff.

Qualifying Coursework or Training - This is defined as coursework or training which provides skill or knowledge that will improve an employee's job performance. This may include acquiring skills and knowledge necessary for advancement to positions closely related to the current job or to advance to another job which is pertinent to the mission of the University. Coursework or training undertaken at an employee's initiative for self-enrichment does not qualify.

Eligibility - Faculty and academic staff with half-time or greater appointments.

Amount of Coursework/Training Permitted - Normally, no more than one course, up to 5 credits, or a training equivalent in any academic term, e.g., a semester, summer session, or an equivalent. This standard may be exceeded by the Chancellor or his/her designee.

Reimbursement - The basic academic tuition will be reimbursed upon successful completion of the training/coursework if still employed in state service. Segregated fees will be waived (upon successful completion of the training/coursework if still employed in state service) if the course is taken at UW Oshkosh or one of the UW-System comprehensives.

Coursework/Training Sources - (1) Intra-institutional, (2) Intra-System, (3) Agencies or institutions outside the System.

Approval - A "Request for Fee/Tuition Reimbursement" form must be completed and approved by the supervisor and unit head in advance of the commencement of such coursework or training.

(3) University of Wisconsin Oshkosh Policy and Procedures.

The System Policy stated above shall apply with these additional amplifying procedures applicable to University of Wisconsin Oshkosh.

(a) Faculty or academic staff wishing to apply for fee/tuition reimbursement may obtain forms from the Human Resources Office/website.

(b) Before enrolling in a course the applicant must obtain approval from the supervisor and unit head or equivalent.

(c) It will be the employee's responsibility to furnish to the immediate supervisor and the Human Resources Office official evidence that the coursework was completed satisfactorily. Satisfactorily will normally mean that a grade of "B" or above was earned in a graduate course, or "C" or above in an undergraduate course.

The evidence (a completed "Request for Tuition/Fee Reimbursement" form, fee receipt, and grade report or certification of completion) shall be presented to the Human Resources Office for reimbursement. The cost will be charged to the department or unit unless a college or other major unit has made other provisions for reimbursement.

(d) In the event more than one department or unit is involved, all supervisors will need to approve the proposal, and the cost will be shared proportionately unless other arrangements have been made.

(e) In the event a department elects to recommend only a portion of the tuition be reimbursed, that amount will be recorded on the form and the individual so informed. The individual will then decide if he/she still wishes the form to be processed.

GEN 3.B.17. Graduate Course Enrollment.

Faculty and academic staff may enroll in graduate courses for credit or audit and should use the enrollment procedure for registering students.

Faculty and instructional academic staff cannot be admitted to graduate degree programs offered by the department or division related to their teaching appointment. This policy is intended to prohibit the earning of a University of Wisconsin Oshkosh master's degree within a given department only and is not intended to discourage the professional development of the University of Wisconsin Oshkosh fac-
ulty and staff. The University of Wisconsin Oshkosh faculty and academic staff members may apply to
graduate degree programs outside of the areas of their teaching assignments and should use the ad-
mission procedures for degree-seeking students.

GEN 3.B.18.A. Use of University Facilities.

UWS 21 (Use of University Facilities) of the Wisconsin Administrative Code, Rules of the Board
of Regents.

UWS 21.01 Declaration of policy.
It is the policy of the board of regents that the facilities of the university are to be used primarily for
purposes of fulfilling the university's missions of teaching, research and public service. University fa-
cilities are not available for unrestricted use for other purposes. In order to preserve and enhance the
primary functions of university facilities, the Board of Regents adopts this chapter to govern the use of
university facilities.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

UWS 21.02 Definitions.
In this chapter:

(1) "Board of Regents" or "board" has the meaning given under s. UWS 1.02.
(2) "Chancellor" means the chief executive officer of a university, the university of Wisconsin cen-
ters, or the university extension.
(3) "Facilities" or "university facilities" means the publicly owned or leased buildings and grounds
which are subject to the custody and control of the board.
(4) "Institution" has the meaning given under s. UWS 1.06.
(5) "Organization associated with an institution" means that an organization is an officially recog-
nized staff or student group, or an administrative or academic unit, or a state agency.
(6) "Staff" means all employees of the University of Wisconsin System.
(7) "Student" means any person who is registered for study in an institution of the University of
Wisconsin System for the current academic period.
(8) "University" has the meaning given under s. UWS 1.07.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

UWS 21.03 Use of Facilities by Organizations Associated with an Institution.

(1) The Chancellor of each institution, or his or her designee, shall permit organizations associat-
ed with that institution to use university facilities for events for staff and students, if he or she
determines that:
(a) The proposed use will not interfere with or detract from the teaching, research and public
service missions of the institution;
(b) The institution has appropriate facilities available for the proposed use; and
(c) The organization has complied with institutional procedures adopted under s. UWS 21.06.

(2) The Chancellor of each institution, or his or her designee, may permit organizations associat-
ed with that institution to use university facilities for public events if he or she determines that:
(a) The proposed use will not interfere with or detract from the teaching, research and public
service missions of the institution;
(b) The institution has appropriate facilities available for the proposed use; and
(c) The organization has complied with institutional procedures adopted under s. UWS 21.06.

(3) The organizations using university facilities under this section may be required to reimburse
the institution for the costs, if any, incident to the use of the facilities.
(4) Organizations using university facilities under this section may be required to pay rental 
charges for use of the facilities if the use is revenue producing.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

UWS 21.04 Use of Facilities by Persons or Organizations Not Associated with an Institution.

(1) The Chancellor of each institution, or his or her designee, may permit persons, or organiza-
tions not associated with that institution, to use university facilities at his or her institution if he 
or she determines that:

(a) The proposed use is under the sponsorship or at the invitation of an organization associ-
ated with the institution;

(b) The proposed use will not interfere with or detract from the teaching, research and public 
service missions of the institution, or the use of the facilities by organizations associated 
with the institution;

(c) The institution has appropriate facilities available for the proposed use; and

(d) The person or organization has complied with institutional procedures adopted under s. 
UWS 21.06.

(2) Persons or organizations using university facilities under this section must reimburse the insti-
tutions for the costs, if any, incident to the use of the facilities.

(3) Persons or organizations using university facilities under this section may be required to pay 
rental charges for use of facilities if the use is revenue producing.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

UWS 21.05 Access to Public Events Held at University Facilities.

(1) It is the policy of the board to ensure maximum access to public events held in university facili-
ties, consistent with the legally recognized rights and interests of performers, lecturers, artists 
and speakers.

(2) Where a person or organization has secured the use of university facilities for a public event, 
any contemplated restriction or condition on access to the event must be made known prior to 
the event, and must be embodied in a written agreement with the institution, which agreement 
shall be open to public inspection. However, such agreements may not deny or restrict access 
to university facilities in a manner contrary to other applicable laws or regulations or on any 
basis prohibited by law.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

UWS 21.06 Institutional Procedures.

The Chancellor of each institution, in consultation with appropriate staff and students, shall develop 
procedures for the administration of this chapter which shall, at a minimum, include the following:

(1) Procedures for securing permission to use university facilities;

(2) A schedule of the costs and rental fees, if any, assessed for the use of facilities; and

(3) A description of any institutional limitations concerning the time of availability and manner of 
the use of institutional facilities.

History: Cr. Register, December, 1986, No. 372, eff. 1-1-87.

GEN 3.B.18.B. Use of University Facilities for Purposes Other Than Carrying Out University 
Responsibilities.

Definition: University facilities shall include all land, buildings, property, vehicles, equipment, material 
and supplies owned by, assigned to, or under the jurisdiction of the University of Wisconsin Oshkosh.

(1) Use of University facilities for personal purposes: University facilities, equipment and supplies 
shall not ordinarily be used by the faculty for purposes other than carrying out University re-
 sponsibilities. If for any reason an employee deems it essential to use such facilities for per-
sonal activities, appropriate arrangements shall be made with University authorities (chairper-
son, Dean, Provost and Vice Chancellor, Chancellor or appropriate administrative office).

(2) Use of University facilities for commercial purposes: University facilities shall not be used by
employees for outside activities of a commercial character without previous arrangements with
the appropriate University authorities (chairperson, Dean, Provost and Vice Chancellor, or
Chancellor). Anyone who serves as advisor or consultant, or in any other capacity, with a pub-
lic or private agency for additional compensation may use University facilities for such activity
only with advance authorization from the Dean or Chancellor; for occasional and
non-consumptive use of equipment (e.g., microscopes), authorization may be granted by the
appropriate department chairperson.

If a part of an employee's workload has been transferred to another state agency, pursuant to Section
230.047 and Section 20.901, Wis. Stats., and the employee's assignment with this agency requires
use of University facilities, the employee must request of the Dean or Chancellor, in advance of
his/her assignment, permission to use University facilities.


(1) Granting of Emeritus Status

(a) Faculty: Emeritus status may be granted to retired faculty upon the recommendation of
the department, Dean, and Provost and approval of the Chancellor. Instructor, Assistant
Professor, Associate Professor, or Professor Emeritus status will be granted correspond-
ing to the faculty rank at retirement. Normal criteria for emeritus status will be:

1. Permanent employment with UW Oshkosh and eligibility to activate annuities for the
Wisconsin Retirement System.

2. Tenured status at the UW Oshkosh and at least 10 years service within the UW Sys-

tem.

3. A record of distinguished service, and the expectation of continued contributions to
the discipline and the University.

(b) Academic Staff: Emeritus status may be granted to retired academic staff upon the rec-
mendment of the department and Dean, or the administrative unit administrator, Prov-
ost, and approval of the Chancellor. Normal criteria for emeritus status will be:

1. Permanent employment with UW Oshkosh and eligibility to activate annuities for the
Wisconsin Retirement System.

2. Ten years of service in collegiate education. Emeritus status may be considered for
others upon recommendation of the Dean or area administrator for outstanding ser-
vice.

3. A record of distinguished service, and the expectation of continued contributions to
the University.

(2) A list of the privileges associated with Emeritus status will be made available to employees
through the provost's page on the university's web site (http://www.uwosh.edu/provost/) and
other appropriate means.

(3) Responsibilities of Emeritus Status

(a) Emeritus faculty and academic staff must comply with appropriate State, UW System, and
UW Oshkosh rules, including those governing the use of University facilities and conduct
on University property.

(b) When emeritus faculty and academic staff identify themselves as members of the Univer-
sity community, they shall act within their area of professional competence and consider
the potential impact of their actions on the reputation and welfare of the University.

Emeritus faculty and academic staff status may be revoked at the discretion of the Chancellor.

GEN 3.B.20 Transitional Return to Work
The University of Wisconsin Oshkosh will maintain the dignity of all employees while effectively managing worker’s compensation losses and costs. The University will employ strategies to manage situations where employees are injured on the job. This Transitional Return to Work (TRTW) policy addresses bringing employees utilizing worker’s compensation back to work as early as the employee is able and, whenever feasible and appropriate, returning non-work related ill or injured employees as soon as the employee is able.

In the case of an employee who is utilizing worker’s compensation or returning from a non-work related illness or injury and is able to return to work with restrictions as outlined by a healthcare professional, a case management team will review the request to return to work and determine if reasonable accommodations can be made. The case management team shall be comprised of the UW Oshkosh Worker’s Compensation Coordinator, a human resources representative, the supervisor of the employee returning to work, and if necessary, a UW System Worker’s Compensation Claim Examiner. When necessary, the team will also include the Environmental Health and Safety Manager. In the event the restrictions as outlined by the healthcare professional have a duration of longer than three months, the Director of Equity & Affirmative Action, in the role of ADA coordinator for employees, will be added to the case management team. In determining if reasonable accommodation can be made, the case management team will, with the employee’s permission, consult with the employee’s healthcare professional.

Using guidelines established in the Americans with Disabilities Act of 1990, the case management team will review the employee’s position description and the restrictions as outlined by a healthcare professional and determine if a transitional return to work can be reasonably accommodated. In making this determination, the case management team will consider transitional duty for the employee in the following order:

1. Return the employee to work with transitional duty within the employee’s unit.
2. Return the employee to work with transitional duty within the employee’s division of the University.
3. Return the employee to work with transitional duty within the University.

If reasonable accommodation is not possible in the three alternatives listed above and this is a worker’s compensation case, the UW System Worker’s Compensation Claim Examiner will attempt to accommodate the employee through the State of Wisconsin Injured Worker Program. If the employee is placed into transitional duty in an area outside their employing unit, the employing unit shall be responsible for the employee’s wages.

Upon an employee’s return to work on transitional duty, the employee and their supervisor(s) shall sign a Transitional Return to Work Agreement. The agreement shall indicate this is a temporary assignment and shall specify a date upon which the agreement will end.

Employees with permanent disabilities shall follow the procedures as outlined in GEN 1.2.(2). Disability Accommodation Policy and Procedures.

GEN 3.B.21 UW Oshkosh Policy on Post-Retirement Employment

The purpose of this policy is to afford the University the opportunity to identify appropriate and necessary skill sets and provide access to campus positions to the broader community while balancing the needs of the organization.

This policy establishes the parameters for hiring retired university employees. All hires of retired university employees must also comply with the requirements of state law (ETF 10.08, Wisconsin Administrative Code). Retired university employees hired through a competitive process are not subject to this policy.
To ensure that there is not even the appearance of noncompliance with ETF rules, contracts to rehire any individuals previously employed at any institution in the UW System should not be discussed, negotiated, or entered into prior to or during the required 30 day break in service. Any contracts to rehire previously employed persons should be reviewed and approved centrally by UW Oshkosh Human Resources.

(1) The employment of retired university employees is intended to address short-term (fixed or limited term) needs of the university and is not to be used as a substitute for hiring on-going employees. Consequently, the appointment period for a retired university employee generally cannot exceed one year. Those retired university employees hired through a competitive search are not subject to this restriction.

(2) The hiring of a retired university employee is permitted only in specific circumstances. The dean/director or designee and appropriate Vice Chancellor must approve all appointments, in advance of the offer of reemployment. Most of these circumstances are listed below.

(a) The individual is needed on an interim basis while recruiting for a permanent employee or while a decision about the necessity of, or financial support for, the position is completed.
(b) The individual’s expertise and experience are needed for a specific project.
(c) The individual is needed to teach classes when it is not possible to hire a faculty member.
(d) The individual’s salary is fully supported by state funds.
(e) Emeriti can be hired to fill teaching, research and other roles when other resources are not available, or the hire is due to the unique aspects of a specific role.
(f) The individual is hired as a Limited Term Employee (LTE) for specific events or projects in which the appointment adheres to the UW Oshkosh LTE policy.
(g) Other exceptional circumstances exist and can be documented.

Two important considerations must be noted. First, this policy does not apply to individuals receiving retirement benefits from entities other than the State of Wisconsin WRS, for example, military retirement or corporate retirement plans. Second, this policy does not apply to individuals seeking state government employment through a competitive recruitment and selection process available to all qualified individuals.

In keeping with our institutional mission of teaching and placing the most effective facilitator in the classroom, greater flexibility in the rehire of individuals returning to instructional roles in the University will be granted.

(3) Retired university employees may be hired into positions similar to those from which they retired without open recruitment with the exception of classified permanent or project positions. Classified permanent or project positions require annuitants to be hired through a competitive civil service process. Hiring retired university employees into substantially different positions requires that university recruitment policies be followed.

(4) Continuation beyond one year requires the approval of the division Vice Chancellor and the Vice Chancellor for Administrative Services or designee, in advance of the offer of reemployment.

Questions about this policy should be directed to the Office of Human Resources for classified positions and unclassified positions.

For purposes of this policy, “retired university employees” refers to those individuals who retired from UW Oshkosh and are continuing their annuity during the period of reemployment. This policy does
not apply to retirees who stop their annuity and return to WRS participation during the period of reemployment.

**Procedures for Hiring Retired UW Oshkosh Employees**

1. Application of Policy to Rehired Annuitants

   - **Classified Permanent or Project Employees:** The policy does not apply to a retired UW Oshkosh employee who was hired into a classified permanent or project position.
   - **Academic staff (including retired faculty hired into Professor Emeritus titles):** The policy does not apply to current rehired annuitants until they reach the end of their current appointment. The policy, and procedures below, will apply for reappointment beyond the current end date.
   - **Classified LTEs:** Since LTEs do not have appointment end dates, the appointment end date for current LTEs is deemed to be one year from the effective date of the policy: (insert date). The policy, and procedures below, will apply to reappointment beyond the end date.
   - **Limited appointees:** Limited appointees, who serve at the pleasure of the appointing authority, do not generally have an end date. If a current limited appointee who is a reemployed annuitant has an end date, the policy will apply to reappointment beyond the end date. If there is no end date, the end date is deemed to be one year from the effective date of the policy: (insert date). The policy, and procedures below, will apply to reappointment beyond the end date.
   - **Guidelines on Wages and Salaries:** Wages for rehiring retired UW Oshkosh employees will be set at a base salary not higher than the salary at the time retirement. The base salary will be prorated based on the percentage of time the employee is being hired to work. Exceptions to this guideline must be submitted to the Director of Human Resources, Director of Equity and Affirmative Action and the Assistant Vice Chancellor for Faculty and Academic Staff Affairs as well as appropriate Vice Chancellor for consideration and approval.

2. Approval Procedures for Hiring and Reappointing Retired UW Oshkosh Employees

   - **Initial Hire of Retired UW Oshkosh Employees:** Hiring a retired UW Oshkosh employee requires prior approval of the dean, director or division Vice Chancellor or designee. The hire must meet one of the circumstances in #2 of the policy. The length of the appointment cannot exceed one year without prior approval of the division Vice Chancellor and the Vice Chancellor for Administrative Services or designee. If the initial appointment is to exceed one year, follow the procedures described in 2.B. below. Each dean/director or Vice Chancellor shall determine the approval process for his/her school/college/division and also has the responsibility to maintain records of approvals.

     1. **Hiring into a position with similar responsibilities to the position from which the individual retired:** Competitive recruitment is not required unless the position is classified permanent or project. Individuals may be appointed as an LTE, Limited or academic staff depending on the responsibilities of the position. For Limited and academic staff positions, the basis for the waiver of recruitment is “Rehired Annuitant.”
2. Hiring into a position with substantially different responsibilities than the position from which the individual retired: Competitive recruitment is required unless the nature of the position meets one of the following existing criteria for not recruiting:

   a. LTE position
   b. Academic Staff or Limited position which meets one of the existing criteria for a waiver of open recruitment e.g., 25 percent time or less, six weeks or fewer, replacing person on a leave of absence, etc.

Individuals on all appointments except LTE must be given appointment letters specifying the end dates of the appointment. Although Limited appointments do not generally include an end date, the appointment letter must include an expected end date not later than one year after appointment. The end date must be entered into “expected job end date” in HRS. The letter shall include the following, in addition to the standard limited appointment language: “Although, as a limited appointee you will serve at the discretion of [name of supervisor], this appointment will not extend beyond xx/xx/xx [a date not to exceed one year from start of the appointment].”

The policy does not apply to an individual who elects to stop his or her annuity and return to active participation in the WRS.

The policy does not apply to a retired UW Oshkosh employee who is hired into a classified permanent position through a competitive civil service process whether or not he or she has elected to stop his or her annuity.

(b) Reappointment Beyond One Year or an Initial Appointment Exceeding One Year: Reappointing an individual for a second or subsequent year (or an initial appointment exceeding one year) requires the approval of the division Vice Chancellor or Vice Chancellor of Administrative Services or designee in addition to approval by the dean, director or designee. For purposes of this policy the Vice Chancellor of Administrative Services has delegated approval to the Office of Human Resources, specifically for classified positions and for unclassified positions.

(c) Process for Requesting Vice Chancellor Approval:

1. Academic Staff and Limited Appointees: The dean/director or designee will request approval of the reappointment or initial appointment exceeding one year. The request shall include the justification for the request. The division Vice Chancellor will make all decisions. Monitoring of outcomes will be maintained by the appropriate Vice Chancellor.

2. Classified Project and LTE: The dean/director or designee will send a request seeking approval of the reappointment or initial appointment exceeding one year. The request shall include the justification for the request. The division Vice Chancellor will make all decisions. Monitoring of outcomes will be maintained by the appropriate Vice Chancellor.
GEN 4. Instructional Policies.

Part A. Copyright Policy.


The University of Wisconsin Oshkosh provides support to members of its academic community for a variety of activities in addition to assigned teaching responsibilities. In some instances, a result of the activity is a project involving ownership rights, including copyrights, patents and royalties or a prize awarded to the author.

The UW System copyright policy (GAPP #27) associates ownership rights with the degree of University support and the purpose for which the support was given. The categories defining this relationship are as follows:

(1) No University support;
(2) Minimal University support (no salary or released time);
(3) Substantial University support;
(4) Assigned duty or work-for-hire arrangement;
(5) Support from extramural sponsor.

The University asserts no ownership claim in categories 1 and 2. It indicates that ownership may be claimed in category 3, although the University may choose not to do so. In category 4 ownership resides with the University, with some royalties going to the author. Projects supported from extramural sources are subject to the terms of the funding agency.


The following sections have been developed within the general guidelines of UW System policy. They further define the ownership policy for various types of university-supported projects.

(1) Projects in the Teaching, Research, Professional Development Semester, and Individually Planned Program Components of the Faculty Development Program and the Sabbatical Program fall into category 3, Substantial University support. The University is required to develop an agreement with the author on an equitable distribution of copyright and ownership rights. It is not required to claim the copyright or ownership rights.

The assertion of University rights normally occurs in cases of materials directly related to instruction, which is not normally the case with research and professional development projects. It is also understood that awards in these components are made for scholarly activity and professional development. Whether the results are published, sold or submitted in competitions with monetary prizes is not a criterion for the award.

(2) Projects in the Needs Component of the Faculty Development Program fall into category 4, Assigned duty or work-for-hire arrangement. Copyright and ownership rights belong to the University. Any royalties resulting from the sale of materials shall be distributed according to the following schedule.

<table>
<thead>
<tr>
<th>Pre-amortization</th>
<th>Post-amortization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author</td>
<td>10%</td>
</tr>
<tr>
<td>Department/unit of Author</td>
<td>90%</td>
</tr>
</tbody>
</table>

Notes: (1) Pre-amortization refers to the recovery of University direct costs. (2) For royalties accruing from projects supported by the Faculty Development Program, the Department/unit of Author shall refer to the Faculty Development Program.

Upon accepting the award, the faculty member shall agree in writing that the University shall hold the copyright and ownership rights and that royalties shall be distributed according to the established schedule.
(3) Projects in the Off-Campus Component fall into category 3, Substantial University support. In some cases, prizes may be associated with the activity of the faculty/academic staff member in the off-campus experience. The primary criterion for the Off-Campus Program is the professional development of the applicant. As in the Teaching, Research, Professional Development Semester, Individually Planned Program, and Sabbatical Programs, the University is concerned with the professional development implications of off-campus activities. It would note receipt of a monetary prize as recognition of a faculty/academic staff member's performance, but the University would not assert any claim to that prize because it was supporting a professional development experience rather than a chance to acquire a prize.

(4) Projects in the Institute Component will be evaluated according to the guidelines 1 and 2. An ownership determination then will be made on the basis of this evaluation.

(5) Projects with substantial University support from sources other than the Faculty Development and Sabbatical programs may fall into category 3 or category 4. For purposes of determining ownership and copyright, an agreement shall be made between the faculty/academic staff member and the college or unit head when the contractual arrangement is made using the guidelines on the type of project described in this policy.
GEN 4. Instructional Policies.

Part B. Classroom/Teaching Policies.


Upon admission to the University, undergraduate students are assisted by an advisor in the Undergraduate Advising Resource Center (UARC). Graduate students are referred to an advisor in their academic unit. Undergraduate students who select a major in Secondary Education or in any of the departments in the College of Letters and Science are reassigned to departmental advisors. All other students remain with academic advisors in the UARC.

The undergraduate and graduate bulletins contain detailed information about academic advisement policies and procedures.


The following academic calendar principles supplement and enhance the select mission statement of the University of Wisconsin Oshkosh by providing students with access to a high quality, affordable, and comprehensive education that enables them to develop their general intellectual capacities, specific interests, and abilities through academic programs and personalized student development services. In addition, the academic calendar principles foster the scholarly activities of faculty, students, and staff related to teaching, research, intellectual activities, creative expression, and service.

- The fall academic semester cannot start before September 2 [Wisconsin Statute 36.11(16)].
- To provide for academic closure and continuity: 1) no 14-week term shall be split across winter break. 2) The spring semester break shall fall between the two half-terms of the spring semester.
- Faculty and instructional academic staff members are encouraged to have a culminating experience that seeks to provide synthesis and evaluation of their students' knowledge and skills performance in each course.
- The University shall make available special study and reading opportunities to students during the weekend prior to the final week of classes.
- There will be two interim sessions each academic year to enhance schedule flexibility for faculty, staff, and students and to foster intensive pedagogical practices for appropriate courses.
- The academic year shall contain 170 days (34 weeks) of faculty/student instructional interaction [Regent Policy 92-9; UW System Academic Planning Statements (ACPS-4)].
• The faculty academic year contractual period must be 39 weeks in length [Regent Policy 92-9; ACPS-4].

• The fall and spring semesters’ regular terms shall be of equal length [Regent Policy 92-9] and contain an equal number of Mondays, Tuesday, Wednesdays, Thursdays, and Fridays.

• There should be at least 800 minutes (or equivalent) of instructional time per credit hour.

**GEN 4.B.3. Academic Misconduct (UW System Rules).**

UW System rules pertaining to student academic disciplinary procedures are found in Chapter UWS 14 of the *Wisconsin Administrative Code*. As a guide to the process, Chapter UWS 14 lists acts of academic misconduct subject to disciplinary action and disciplinary sanctions that may be imposed. The following is a summary of the process an instructor should follow when presenting a matter under these rules. The instructor shall offer to discuss the matter with the student. If the instructor concludes that academic misconduct occurred, the instructor may proceed to impose a disciplinary sanction. The instructor may recommend to the Dean of Students Office that disciplinary probation, suspension or expulsion be imposed. The student has the right to a hearing before the academic misconduct hearing committee. Specific procedures are contained in Chapter UWS 14.

Specific questions pertaining to these rules should be addressed to the Dean of Students Office. Faculty and instructional academic staff who handle a case of academic misconduct are encouraged to request a copy of Chapter UWS 14 from the Dean of Students Office.

**GEN 4.B.4. Admission Standards**

(1) Admission, Continuation and Graduation Standards: Guiding Principles or Academic Program

Colleges, departments and academic programs have the primary responsibility for establishing the entrance and exit requirements for their majors, minors, emphases and certificate programs. Factors such as accreditation, practica, upper-level class performance, pre-professional exams, and post-graduate work, may shape a program’s expectations. Enrollment management should not be the sole consideration in determining admissions, continuation and graduation requirements. Such requirements should not be based on any single criteria, but rather on an appropriate variety of factors.

Programs adding or changing requirements or standards should consider any potential substantial impact of the change on other programs, and should include implementation dates and plans for notifying current and prospective students of any changes.

(2) Change in Admissions Requirements

Any requested change in admission standards by an academic unit or program within a college shall be submitted in writing from the appropriate program unit to the Division (in College of Letters and Science only), the College Committee, College Dean, other Deans, Provost and Vice Chancellor and to the Faculty Senate for approval with full details of the proposed change, including rationale, effective date, and a statement describing the decision-making process leading to the recommendation.

For graduate-level and dual-level programs the department faculty will establish criteria for admission and forward the criteria in writing through the Dean of the College to the Office of Graduate Studies which will obtain concurrence from the Graduate Council. The Office of Graduate Studies will send written recommendations for approval to the Provost and Vice Chancellor. When approved, the change must be communicated by the unit, on and off campus.

Guidelines and forms are available in the Provost and Vice Chancellor's Office.

**GEN 4.B.5. Class Attendance Policy.**
While attendance and punctuality are under the control of each instructor, students are expected to be present for each scheduled class session.

1. Students are directly responsible to each of their instructors for attendance in each regularly scheduled class.

2. Instructors may initiate their own policy regarding attendance; if an instructor teaches more than one section of a course, the same policy should be used for all sections.

3. Instructors are expected to announce their attendance policy to each class, but it is the responsibility of the student to know the policies of the instructor.

4. Students are excused from class for participation in all-University events [GEN 4.B.10 (1)(b)] and for circumstances beyond the students' control including, but not limited to medical or family emergencies (medical care for pregnancy, illness, child care issues, death or serious health problem of family member), court appearance, required military service not to exceed two (2) weeks unless special permission is granted by the instructor or chair, jury duty, etc. Students are responsible for notifying the instructor for circumstances less than two (2) weeks as far in advance as possible and may not be penalized for such absences as long as appropriate documentation is provided in a timely fashion to the instructor to verify the reason for the absence. The instructor is responsible for providing reasonable accommodation or opportunities to make up course obligations that have an impact on the course grade.

   Instructors may choose not to request documentation for such absences. If they do request it, appropriate documentation includes such things as signed, stamped, initialed, etc., documentation from a health care provider stating the student or family member was under his/her care, originals or copies of a funeral program or obituary, etc. Students may not be required to provide documentation describing the nature of the student's or family member's medical condition.

   Documentation shall be considered timely if provided within 14 days of the absence, unless circumstances beyond the student's control prevent her/him from providing the information within the required period.

   Requests for documentation should be restricted to information that can be readily obtained and is not unacceptably intrusive. It is expected that reasonable requests to make up exams and assignments will be accommodated.

5. If students must be absent to participate in a group activity sponsored by the University and approved by the Provost and Vice Chancellor, the group's faculty advisor or the instructor in charge should provide a signed excuse at the request of a participating student.

6. A Dean may recommend to the instructor that a student who incurs an absence for personal reasons be excused.

7. A University physician may, at his/her discretion, recommend to the instructor that a student who incurs an absence for health reasons be excused.

8. In all cases of absence, excused or otherwise, the student is responsible for completing missed work. The instructor is not required to do extra teaching unless so assigned.

9. Students may only attend courses/sections for which they are registered.


Class lists are printed for each course and section at the beginning of each term and periodically during the term. All lists are delivered through the department chairperson. Students not appearing on a class list or students who do not have a Registration Confirmation and Invoice showing they are registered for the course are to be referred to the Registration Office in Dempsey 130. The instructor may contact the Registration Office to locate a student's address. NOTE: A grade of "F" will need to be assigned to all students enrolling for a course who have not attended and have not withdrawn from the course or the University.


This policy on course scheduling is adopted by the University of Wisconsin Oshkosh to help ensure
efficient use of space as mandated by State and System regulations, to meet the needs of students for sufficient scheduling options, and to help provide for differing space and time requirements of departments and colleges for their various course offerings.

1. Three-Credit Lecture Courses.

(a) Daytime (8:00 a.m. until 5:10 p.m.) 3 credit lecture courses should use either a Monday/Wednesday/Friday or Tuesday/Thursday schedule or one of the Monday/Wednesday time blocks listed below.

(b) Approved time blocks:

<table>
<thead>
<tr>
<th>Monday/Wednesday/Friday</th>
<th>Tuesday/Thursday</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00 a.m. - 9:00 a.m.</td>
<td>8:00 a.m. - 9:30 a.m.</td>
</tr>
<tr>
<td>9:10 a.m. - 10:10 a.m.</td>
<td>9:40 a.m. - 11:10 a.m.</td>
</tr>
<tr>
<td>10:20 a.m. - 11:20 a.m.</td>
<td>11:30 a.m. - 1:00 p.m.</td>
</tr>
<tr>
<td>11:30 a.m. - 12:30 p.m.</td>
<td>1:20 p.m. - 2:50 p.m.</td>
</tr>
<tr>
<td>12:40 p.m. - 1:40 p.m.</td>
<td>3:00 p.m. - 4:30 p.m.</td>
</tr>
<tr>
<td>1:50 p.m. - 2:50 p.m.</td>
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<tr>
<td>3:00 p.m. - 4:00 p.m.</td>
<td>Monday/Wednesday</td>
</tr>
<tr>
<td>4:10 p.m. - 5:10 p.m.</td>
<td>1:50 p.m. - 3:20 p.m.</td>
</tr>
<tr>
<td></td>
<td>3:30 p.m. - 5:00 p.m.</td>
</tr>
</tbody>
</table>

2. The lecture portions of 4 and 5 credit courses should begin or end in accordance with the above time blocks.

3. Studio, discussion and lab sections should begin or end in accordance with the above time blocks.

4. Daytime Tuesday/Thursday 2 credit courses should begin or end in accordance with the above Tuesday/Thursday time blocks.

5. All departments and colleges will make good faith efforts to schedule their courses across the days of the week and hours of the day so as to avoid a concentration of course offerings in only a few "prime" slots.

6. Departments and colleges offering weekend and evening courses may determine the schedule according to programmatic and student needs.

7. It is anticipated that there will be a very limited need for exceptions to this policy. When an exception is sought, the unit must provide a rationale to the Dean.

8. The University of Wisconsin Oshkosh Course Scheduling Policy should be reviewed at regular intervals, not to exceed two years.


The Faculty Senate recommends that faculty, as part of their professional obligation as teachers, provide students with a written syllabus within the first two class sessions of the course. A basic syllabus might include the following:

1. Basic course information.
   (a) title, number and section(s)
   (b) place, time, and days of meeting
   (c) instructor's name, office location, and office phone number
   (d) instructor's office hours and location
   (e) required text(s) and/or other materials

2. Course expectations.
   (a) number, types, and proposed/approximate dates of examinations
   (b) quiz policy (if any)
(c) make-up policies
(d) reading assignments and topics covered
(e) special reports, papers, group projects, etc., and completion dates
(f) attendance policy

(3) Grading criteria.
(a) relative weight of each examination, quiz, paper, report, etc.
(b) role of attendance and class participation in determination of final grade
(c) grading scale
(d) how final grade is determined
(e) the plagiarism policy

(4) Clinical and field experiences.


(1) Emergencies.
The Dean of Students Office serves as the contact point in student emergencies with students and family members.
Contact the Dean of Students Office if an emergency occurs and a student needs to be notified through his/her class. Examples of emergencies include a child who is ill, death in the family, life-threatening situations, childbirth, serious accident involving a family member, and personal support or backup for a student who has attempted suicide. The following are examples of situations not considered emergencies requiring notification by the Dean of Students Office: notification of doctor’s appointments, employer attempting to contact an employee, general message to students.

(2) Non-Emergencies.
In non-emergency situations students are expected to make arrangements for contact when necessary. This could include providing a copy of class schedule, telephone numbers, etc., to family, friends, employers, and/or school officials.

(3) Absences.
If a student will be absent from class for emergencies, medical reasons or exceptional personal reasons, he/she is responsible, if capable of doing so, for contacting professors individually or through their departments. If the student, family member or friend are not able to contact professors or the student will be absent more than three (3) class days, the Dean of Students Office may be asked to send notifications of the absence as reported to staff. The Dean of Students Office does not verify this information.

GEN 4.B.10. Field Trips.

(1) Permission for Students to be Absent from Classes.
(a) Regular Classes.
The form titled “Clearance for Field Trip Involving Absence from University Classes and Student Teaching Assignments” must be circulated by students to each instructor as soon as possible. If the absence is approved by all instructors, the absence will be considered excused, and the student may request the instructor for make-up work which he/she may feel should be performed. If the absences are not approved by all instructors, or if the slip is not returned to the originator with approvals properly recorded, the student is not free to go on the trip.

(b) All-University Type Events.
There are certain activities, beyond the classroom, that can be considered as field trips which are all-University in nature, e.g., athletics, debate trips, and certain music trips. For
these activities students will be considered excused from classes with make-up work for time missed assigned by the professor as he/she feels appropriate. The student may not be penalized for this absence. The faculty or academic staff member originating the trip shall send a memo to his/her Dean, Assistant or Associate Vice Chancellor or Vice Chancellor requesting the students be excused. The memo shall include the destination, purpose of the trip, dates of the trip, hours to be missed if the trip does not include full days, and the names of all students involved.

The information shall be forwarded via the immediate supervisor (e.g., chairperson or director, with his/her approval also necessary).

If approved, the Dean, Assistant or Associate Vice Chancellor, or Vice Chancellor shall issue a memo to the originator (enough copies for each student) excusing the students. Each student should show the memo to professors of classes that will be missed.

In the event that the appropriateness of a field trip is in question, inquiries should be directed to the Provost and Vice Chancellor's Office.

Below is a sample format that could be used by the Dean or equivalent.

The students listed below will be attending (list the destination and purpose) with (originator's name) on (dates and/or time). They are to be considered excused from classes, and make-up work for classes missed should be assigned as you feel appropriate. (List of students.)

(2) Other Aspects

The Facilities Management Fleet Vehicle Office, Budgets/Controller Office, and the Risk Management Office should be contacted for additional information.

(a) Transportation.

Student and volunteer drivers must file a "Student or Volunteer Driver's Authorization" form, signed by the activity advisor and department chairperson or Dean. Students are not allowed to drive 15-passenger vans. This must be filed in time to be approved by the Facilities Management Fleet Office. Allow a minimum of five days.

In order to operate a University 15-passenger van, each driver must have completed the prescribed Driver Training Course. This course is scheduled on an as "as needed" basis, depending on the availability of a van and instructor. It is therefore necessary to sign up well in advance of the anticipated departure date.

In addition, please refer to Travel Regulations, Section 8.20.

(b) Fiscal. (For international trips, contact the Office of International Education.)

At minimum the amount of cash on hand held at any given time by the individual in charge of the trip should be the minimum required. Cashier's checks, travelers' checks, and letters of credit should be utilized to reduce the chances of loss or theft of ready cash. Where practicable, arrangements should be made through Purchasing to have the University billed directly.

Individuals responsible for off-campus field trips should contact the Vice Chancellor for Administrative Services at least 30 calendar days prior to the start of such trips to ensure that a clear understanding is reached as to the type of financial documentation required, proper student charges, records to be kept, and types of expenses which can be authorized.

If segregated fees are going to be utilized, then approval must be granted from the Student Allocation Committee (the request is usually made in the spring semester for the upcoming year).

(c) Liability/Risk Management.

All state employees or agents (students/volunteers) are protected by the state statute (895.46) against liability while they are functioning within the scope of their employment or
agency. Scope of employment is usually defined in the employment contract or job description.

Students participating in field trips are not covered by the state liability protection or medical coverage. It is recommended that the instructor obtain information from each student about the student's medical coverage (insurance company and policy number) so the information is available if the instructor has to arrange for medical services in an emergency situation while supervising the field trip. Students are responsible for their own medical expenses.

UW System policy (ACIS-7.1) requires that every participant in international education programs purchase insurance for accident and health, repatriation, and medical evacuation. Purchase of the Cultural Insurance Service International (CISI) insurance coverage is mandatory for students enrolled in a study abroad or international exchange program sponsored by a UW System institution. For the purpose of this System-wide requirement, a program will be considered to be a Study Abroad or International Exchange program if it meets the following criteria.

1. The program is operated under the auspices of an office with designated responsibility for international programs at a UW System institution.
2. The primary focus of the program is academic.
3. The program activities occur outside the United States.

Contact the Office of International Education for further clarification.

(d) Travel Arrangements Involving Student Passengers and Drivers Beyond Fifty Miles.

In addition to approval to travel, the following emergency information must be provided to the University Police for use of University vehicles, rental vehicles, or contracted bus service.

1. A complete itinerary including telephone numbers of each destination point. If it is necessary to alter the itinerary in route, contact the University Police. This information will assist University personnel in the event of an emergency.
2. A complete list of all individuals on the trip. This list must include the full names of all people traveling, and the names and numbers of people to contact in the event of an emergency. Only individuals who are officially a member of the trip are permitted to travel in trip vehicles.* All drivers must be qualified and certified for use of fleet vehicles. The Office of Facilities Management provides qualification and certification information and procedures.
3. The person leading the trip should make every effort to have in his/her possession a copy of the health insurance card for insured travelers. This is particularly important for trips of one or more overnight stays.
4. Special efforts should be made to ensure that there is more than one qualified and certified driver for each University or rented vehicle. Drivers should be rotated at frequent intervals to assure proper alertness and rest.
5. All vehicular safety and speed laws must be observed.


Faculty and instructional academic staff must submit final grades at the end of each semester, follow-
Grades are considered part of a student's confidential "education record," as defined under the Family Educational Rights and Privacy Act (FERPA). Grades may not be publicly posted using personally identifiable information from education records without consent. Methods that ensure only the particular student can identify his/her grades may be used. Examples include publicly posting grades using a random number assigned to each student by the course instructor or posting grades using a secure course management system.

GEN 4.B.12. Off-Campus Study Programs.

Off-campus study programs are defined as instructional programs for which the academic content is determined by the site (e.g., study of French in France), the instructor and students leave the campus for 72 hours or more, and the instruction is conducted at sites not under the University of Wisconsin jurisdiction. Off-campus study programs must meet established academic and administrative standards.

(1) Programs conducted within the United States (except programs of the Diversity Council) must be reviewed and approved by:
   (a) the academic unit head(s),
   (b) the college Dean(s),
   (c) the Director of the Division of Continuing Education & Extension, and
   (d) the Provost and Vice Chancellor.

Requests for the Off-Campus Study Guidelines, application forms and other information should be addressed to the Division of Continuing Education & Extension.

(2) All Study Abroad programs and domestic programs of the Diversity Council must be reviewed and approved by:
   (a) the academic unit head(s)
   (b) the Diversity Council (required of Diversity Council programs only)
   (c) the college Dean(s)
   (d) the International Programs Coordinator in the Office of International Education, and
   (e) the Provost and Vice Chancellor.

Requests for the guidelines, application forms and other information should be addressed to the Office of International Education.

GEN 4.B.13. Office Hours.

Faculty and instructional academic staff members are expected to hold regularly scheduled office hours and make themselves available by appointment when other hours are needed. Office hours should be posted on office doors and a copy should be kept by the unit secretary.


(1) Proctor Definition.

A student who acquires experiential educational benefits by assisting a faculty member in conducting specific course-related activities.

(2) Undergraduate Proctoring Policy.

(a) Proctoring may be for credit or pay, but not both for the same course.

(b) If a student is proctoring a course for credit, he/she may take up to the maximum number of credits awarded that course.

(c) Maximum proctoring credit that may be earned toward a bachelor's degree is six credits.

(d) Credits earned for proctoring cannot be used to fulfill general education requirements.
(e) Proctoring activities are not limited as to the type of instructional format.

(f) Only the pass/fail grading system may be employed in awarding proctoring credit.

(g) A "P" will be registered on the student's transcript next to the course number being proctored.

(h) A descriptive statement which outlines the specific duties and activities a proctor is expected to perform for a given course will be maintained in the appropriate academic department office. A proctor must provide a summary of completed student activities at the end of the course.

(i) Proctors are selected on the basis of competency as determined by mastery of the course content.

(j) Proctors should have received a grade of at least a "B" in the course they are proctoring or in a similar course experience.

(k) Student proctors cannot provide classroom instructional services.

A project assistant may be a graduate student enrolled in the University of Wisconsin System who is assigned to conduct training, administrative responsibilities or other academic or academic support projects or programs, except regular preparation of instructional materials for courses or manual or clerical assignments. Project assistants are used primarily in Student Affairs areas such as Residence Life.


UWS 22.01 Declaration of policy.
It is the policy of the Board of Regents that students' sincerely held religious beliefs shall be reasonably accommodated with respect to all examinations and other academic requirements. The board of regents adopts this chapter in order to ensure that all institutions of the University of Wisconsin System have in place appropriate mechanisms for ensuring the reasonable accommodation of students' sincerely held religious beliefs, and for appeals related to these matters.

History: Cr. Register, August, 1993, No. 452, eff. 9-1-93.

UWS 22.02 Definitions.
In this chapter:

(1) "Board of Regents" or "board" has the meaning given under s. UWS 1.02.

(2) "Chancellor" means the chief executive officer of a university, the University of Wisconsin Centers, or the university extension.

(3) "Examination or other academic requirement" means any course requirement established by an instructor which will be considered in awarding the student's grade in the course.

(4) "Institution" has the meaning given under s. UWS 1.06.

(5) "Instructor" has the meaning given under s. UWS 14.02 (11).

(6) "Student" means any person who is registered for study in an institution of the University of Wisconsin System for the current academic period.

History: Cr. Register, August, 1993, No. 452, eff. 9-1-93.

UWS 22.03 Accommodation of religious beliefs.

(1) A student shall be permitted to make up an examination or other academic requirement at another time or by an alternative method, without any prejudicial effect, where:

(a) There is a scheduling conflict between the student's sincerely held religious beliefs and
taking the examination or meeting the academic requirements; and

(b) The student has notified the instructor, within the first three weeks of the beginning of classes (within the first week of summer session and short courses), of the specific days or dates on which he or she will request relief from an examination or academic requirement.

(2) Instructors may schedule a make-up examination or other academic requirement before or after the regularly scheduled examination or other academic requirement.

(3) Instructors shall accept, at face value, the sincerity of students' religious beliefs.

(4) Student notification of instructors and requests for relief under sub. (1) shall be kept confidential.

(5) Complaints of failure to provide reasonable accommodation of a student's sincerely held religious beliefs as required by this rule may be filed under institutional complaint and grievance procedures adopted pursuant to Chs. UWS 6 and 13.

(6) The Chancellor of each institution shall, through appropriate institutional publications (to include at a minimum the timetable and catalog), provide notification to students and instructors of the rules for accommodation of religious beliefs, and of the procedure and appropriate office for filing complaints.

History: Cr. Register, August, 1993, No. 452, eff. 9-1-93.


(1) Introduction.

On July 8, 1988, the Board of Regents of the University of Wisconsin System approved its “Policy and Guidelines Applying to Nondiscrimination on the Basis of Disability.” The policy was amended on December 6, 1996. The policy statement reads as follows:

The University of Wisconsin System is committed to making individuals with disabilities full participants in its programs, services and activities through its compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990. The Board of Regents recognizes that individuals with disabilities may need accommodations to have equally effective opportunities to participate in or benefit from the university’s programs, services and activities.

It is the policy of the University of Wisconsin System that no otherwise qualified individual with a disability shall be denied access to or participation in any program, service or activity offered by the universities. Individuals with disabilities have a right to request accommodations. Individuals will receive appropriate accommodations to their needs in order to fully participate in or benefit from the university’s programs, services and activities in a non-discriminatory, integrated setting.

The University of Wisconsin System and any of its agents shall not coerce, intimidate, retaliate against or discriminate against any individual for exercising a right under the ADA or Section 504, or for assisting or supporting another to exercise a right under the ADA or Section 504.

The University of Wisconsin System will not give significant assistance to any agency, organization, or person that discriminates on the basis of disability in providing any aid, benefit or service to beneficiaries of the university’s programs.

(2) Accessibility and Equal Opportunity. [Note: Portions of this section are modified from the University of California Guidelines Applying to Nondiscrimination on the Basis of Handicap, 1983.]

(a) General.

Qualified persons may not be denied the benefits of, or be excluded from participation in, any University of Wisconsin Oshkosh program or activity because University facilities are inaccessible to, or unusable by, persons with disabilities.

(b) Existing Facilities.
Each program or activity, when viewed in its entirety, shall be readily accessible to qualified persons with disabilities, or made accessible through such means as:

1. Redesign equipment/facility after individual case review;
2. Provide appropriate signage;
3. Reassign classes, staff, or services to accessible buildings;
4. Deliver health, advisory, and support services at accessible sites.

Providing one or two accessible entries to a building makes entrance to the building itself accessible; it is not required that every outside entry be accessible. Structural changes in existing facilities are not required where other methods provide program accessibility.

If sufficient relocation of classes, programs or activities is not possible using existing facilities, structural alterations to ensure program accessibility shall be made. Students may not be excluded from a specifically requested course offering, program or other activity because it is not offered in an accessible location. Not every section of a specifically requested course or program, however, need be made accessible.

Priority will be given to methods that offer programs and activities to persons with disabilities in the most integrated setting appropriate. Programs not wholly operated by the University that require student participation in educational activities or internships (e.g., student teaching assignments) will provide an equal opportunity for qualified persons with disabilities to participate.

Remodeling projects must be consistent with the State of Wisconsin's "Survey Guideline for Determining Building Accessibility" or the Uniform Federal Accessibility Standards, whichever promotes greater accessibility, and with Federal and State codes.

(c) New Construction.

Facilities, or parts of facilities, constructed for the use of the University will be designed and built so that they and their parts are readily accessible to and usable by persons with disabilities. New construction must be planned in accordance with the State of Wisconsin's "Survey Guideline for Determining Building Accessibility" or the Uniform Federal Accessibility Standards, whichever promotes greater accessibility.

(d) Off-Campus Programming.

When any University of Wisconsin Oshkosh-related classes, programs or activities are held in private facilities, attempts shall be made to obtain facilities which are accessible. The program sponsor has responsibility for making recommendations which ensure access. In cases where an accessible facility is not chosen, documentation shall be kept on file reflecting efforts to obtain accessible facilities.

(e) Support Services.

No qualified student or participant in a University program or activity may be denied the benefits of, be excluded from participation in, or be otherwise discriminated against because of the absence of, educational support services. Students with disabilities are encouraged to request support services by completing the form entitled "Disability Notification and Accommodation Request Form." Support services include academic and career advising, counseling, remedial and tutorial programs. Support Services also include auxiliary aids and academic adjustment provided to disabled students. The accommodations may include, but shall not be limited to:

1. special parking;
2. registration assistance;
3. referral to appropriate on- or off-campus resources, services, or agencies;
4. reader services;
5. note taker services;
6. assistance with exams (e.g., taking exams with extended time in a distraction reduced environment, using aides to write exams as directed by the student or to verify that the questions are understood clearly), as agreed upon in consultation with the instructor;

7. interpreter services for the deaf;

8. arrangements for specialized auxiliary aids, including tapes and Braille materials;

9. assistance in finding needed attendants;

10. supplemental orientation;

11. mobility assistance referrals.

As long as no qualified person with a disability is excluded from a program because of the lack of an auxiliary aid, such support need not be on hand at all times. In order to ensure sufficient time to make provisions for accommodations and/or appropriate auxiliary aids, it is the responsibility of the individual to request the necessary accommodation and/or auxiliary aid at least 8 weeks before classes, programs, or activities begin. Requests may be submitted late and the Coordinator of Services for Students with Disabilities will make an effort to honor appropriate requests.

The University shall not limit the number auxiliary aids requested by or provided to a disabled student. Arrangements may be made for auxiliary aids during the interim and summer sessions as well as the regular fall and spring semesters. All note takers, readers, etc. must be requested by using the Disability Notification and Accommodation Request Form available from the Coordinator of Services for Students with Disabilities.

Prohibitions against the use of tape recorders (inconsistent with those stated in Regent Resolution 1556) or brailers in classrooms, or guide dogs in campus buildings, or other rules that have the effect of limiting the participation of qualified students in education programs or activities, may not be imposed.

(f) Physical Education, Athletics, and Similar Activities.

The University of Wisconsin Oshkosh will not discriminate on the basis of disability in physical education, athletics and similar programs and activities. Qualified disabled students or participants in University programs or activities will be provided with an equal opportunity to participate in physical education courses, intercollegiate and intramural athletics or other similar activities. For example, a student in a wheelchair could not be denied the opportunity to enroll in a regular archery course, nor could a deaf student be excluded from participating in a wrestling course.

(g) Housing.

1. On-Campus Housing.

   Comparable, convenient, and accessible on-campus housing/food service will be provided at the same cost to qualified students with disabilities as are afforded to non-disabled students.

2. Off-Campus Housing.

   Listings of off-campus housing provided by any University office, shall identify units that are accessible.

(h) Financial Aid.

The University shall not provide less financial assistance to disabled students based solely on disabilities, limit their eligibility for assistance, or otherwise discriminate against them. Financial aid awards will recognize the special needs of students with disabilities, including additional costs related to the disability, the possible need for reducing credit loads or extending the time allowed to complete graduation requirements. These accommodations will be made within the limits prescribed by state and federal programs. The University will not assist any entity or person that provides financial assistance to any stu-
dents in a manner that discriminates against qualified students on the basis of disability.

The University may administer financial aids which are established under wills or other legal instruments that require awards to be made on the basis of factors that discriminate only if the overall effect of the award of the financial assistance is not to discriminate on the basis of disability.

(i) Student Employment.

University programs which employ students may not discriminate on the basis of disability.

(j) Advising, Counseling and Placement Services.

Personal, academic, or career counseling, guidance, and placement services shall be provided in an accessible setting without discrimination on the basis of disability. Qualified students with disabilities shall not be counseled/advised toward more restrictive career objectives than are non-disabled students with similar interests and abilities. This does not preclude providing factual information about licensing and certification requirements that may present obstacles to disabled persons in their pursuit of particular careers.

(k) Student Health.

The Student Health Center will provide the same types and levels of service for all students, nondisabled and disabled. In addition, the Health Center will inform students with disabilities about specialized health services if the services are not provided at the Center. No student health plan offered by the University shall discriminate on the basis of disability.

(l) Social Organizations.

Before official recognition or significant assistance is given to fraternities, sororities, or other campus organizations, the organization must provide assurance that it does not permit actions prohibited by these guidelines.

(3) Coordination of Programs and Services for Students With Disabilities.

(a) The Dean of Students Office is responsible for the coordination of programs and services for qualified applicants for admission and enrolled students with disabilities. Such coordination will relate solely to students' disabilities. The Dean of Students shall appoint a coordinator to assume these responsibilities.

(b) The ADA Advisory Committee is charged with providing information and recommendations relating to the needs and concerns of persons with disabilities. The Committee will examine and evaluate existing programs annually and investigate unmet needs. The committee will include the following:

1. Coordinator of Services for Students with Disabilities (chairperson);
2. Director of Equity and Affirmative Action;
3. One representative from the Division of Vocational Rehabilitation;
4. Two faculty representatives (appointed by Faculty Senate);
5. Two academic staff representatives (appointed by Senate of Academic Staff);
6. Two students (appointed by Oshkosh Student Association).

(c) Duties of the Coordinator.

1. Provide a "Disability Notification and Accommodation Request Form" to those applicants and enrolled students who seek assistance. The Coordinator may require verification of the disability as presented. When necessary, the Coordinator will discuss the requests with the student to determine appropriate accommodations and consult with the faculty and other offices regarding the request. She/he will then assess the appropriateness of the requested accommodations or auxiliary aids and inform the requestor of the decisions in writing within ten working days.
2. Make arrangements for necessary and appropriate accommodations or auxiliary aids. The Coordinator shall consult with, and act as a liaison to, the Division of Vocational Rehabilitation, if appropriate.

3. Make regular efforts to provide current information to faculty, staff, and students regarding disabilities and the available programs and services relating to them.

As determined by the ADA Advisory Committee, the Coordinator will arrange regular in-service training for faculty and staff to develop fuller awareness and understanding of the needs of students with disabilities.

4. Establish such record-keeping procedures as are necessary to document institutional responses to requests for accommodation and provide required data to UW System and the Board of Regents.

5. All materials relating to individual cases, including completed forms ("Disability Notification and Accommodation Request Form"), action or correspondence relating to those forms, and records relating to any formal complaints or appeals shall be held and maintained in confidence. These records shall be destroyed six (6) years after the student's last date of enrollment unless the Disability Coordinator determines unusual circumstances necessitate a longer period of retention.

(4) Recruitment, Admissions, and Registration.

(a) General.

The University seeks a diversity in its student body which reflects our pluralistic society. Qualified persons may not, on the basis of disability, be denied admission to, enrollment in, or participation in University programs or activities, or be discriminated against in admissions or recruitment.

(b) Admissions or Enrollment.

1. The number or proportion of persons admitted or enrolled will not be limited solely on the basis of disability.

2. Before admissions/placement tests are selected and administered, the University of Wisconsin Oshkosh will ensure the following:
   a. Tests are selected and administered so that the test results reflect the applicant's aptitude or achievement level, or whatever other factor the test purports to measure, rather than the applicant's disability (except where that is what the test purports to measure).
   b. Those tests designed for persons with a disability are available as regularly and in as timely a manner as are other admissions tests. It is the responsibility of the individual taking the test to make special needs known before the specified test registration deadline.
   c. Tests are administered in facilities that are accessible to persons with disabilities.

3. All registration forms, including those for off-campus programs, shall provide a place for the applicant to identify special needs (e.g., physical accessibility, interpreter, large print), so that notification takes place before the enrollment deadline and facilitates the needed accommodations.

(5) Responsibilities of Students With Disabilities.

(a) All students seeking assistance must disclose the presence of a handicapping condition. Accommodations or auxiliary aids are requested by completion of the form entitled "Disability Notification and Accommodation Request Form." The student is encouraged to make timely and appropriate disclosures and requests (at least 8 weeks in advance of a course, workshop, program, or activity for which accommodation is requested; exceptions to the eight-week notification requirement are allowed if the faculty members involved and the CCSD have approved), and to engage in appropriate and responsible levels of self-help in obtaining and arranging for accommodations or auxiliary aids, including applying for fund-
ing for specialized support services from the Division of Vocational Rehabilitation. Re-
quests may be submitted late and the coordinator will make every effort to accommodate
these requests. Untimely requests may result in delay, substitution, or denial of accom-
modation. Because each disability presents unique needs, each student must discuss re-
quested accommodations with instructors each semester.

(b) Before receiving requested accommodations, the student may be required to submit med-
ical or other diagnostic documentation of disability and limitations and may be required to
participate in such additional evaluation of limitations as may be appropriate.

(c) Students or participants in University programs or activities may be required to sign an
agreement that they will not release tape recordings or transcriptions of lectures, or oth-
erwise hinder the ability of a professor to obtain a copyright (Regent Resolution 1556).
The form "Taping Agreement for Students with Disabilities" may be obtained from the Co-
ordinator of Services for Students with Disabilities.

(d) For those auxiliary services that are likely to be funded by the Division of Vocational Re-
habilitation, the University may require that the student apply to that agency. The coordi-
nator may provide assistance with this request.

(6) Academic Adjustment.

(a) Academic Requirements.

Academic requirements will be modified, as necessary, to ensure that they do not discrim-
ine against qualified applicants or currently enrolled students with disabilities. After con-
sultation with the Coordinator of Services for Students with Disabilities, an academic ad-
dviser or instructor can recommend such modifications according to established processes.
The Coordinator may recommend modification in compliance with state and federal man-
dates. Because of the diversity of individual needs relating to disabilities and the unique-
ness of each class, students must discuss their request for modification with their instruc-
tors each semester. These modifications shall not affect the substance of the educational
programs or compromise educational standards, nor shall they intrude upon legitimate
academic freedom. Modifications may include changes in the length of time permitted for
the completion of degree requirements (including credit load), substitution of specific
courses required for the completion of degrees, and adaptation of the manner in which
specific courses are conducted. For example, the University of Wisconsin Oshkosh may
permit an otherwise qualified student who is deaf a program change that would substitute
an appropriate history, international education, literature in translation, or cultural studies
class for a foreign language requirement. If accommodation is not possible in a required
course, a procedure for obtaining a substitution will be available. Each college shall adopt
procedures for course substitution requests. These procedures may be recommended by
the ADA Advisory Committee in conjunction with each College.

Academic requirements that are essential to programs of instruction (e.g. a French major
or minor) or to any directly related licensing requirement (e.g., licensing for nursing) are
not regarded as discriminatory.

(b) Program Examinations and Evaluations.

Examinations or other procedures for evaluating students' academic achievement shall be
adopted, when necessary, to permit evaluating the achievement of students who have a
disability; the results of the evaluation must represent the student's achievement in the
program or activity, rather than reflecting the student's disability. These procedures must
be consistent with state and federal guidelines. Questions regarding appropriate evalua-
tions may be addressed to the Coordinator of Services for Students with Disabilities. The
504 compliance officer (the Coordinator of Services for Students with Disabilities) will be
the final interpreter of these guidelines and the appropriateness of accommodations or
evaluation. It is the student's responsibility to request test accommodation according to
the procedures outlined by this policy. Exceptions to the 8 week notification time period
are possible by obtaining approval of the faculty member and the Coordinator of Services
for Students with Disabilities. Testing accommodation may include but need not be limited
to:
1. enlarged materials;
2. oral test;
3. taped test;
4. extended time;
5. reader;
6. distraction reduced environment;
7. preferential seating (front, etc.);
8. alternate format (black/white copy);
9. writer;
10. computer assistance;
11. Braille material.

(7) Funding for Auxiliary Aids.

In addition to providing accommodations needed to ensure equal access to educational opportunities by disabled students, the University of Wisconsin Oshkosh is responsible, under 34 C.F.R. 104.44, for ensuring that no disabled student is denied benefits or excluded from participation in a program because of the absence of auxiliary aids. "Auxiliary aids" include such items as taped texts, interpreters, or other effective methods of making orally delivered materials available to students with hearing impairments; readers in libraries for students with visual impairments; classroom equipment adapted for use by students with manual impairments; and other similar services and actions.

Funding for accommodations to ensure equal access is provided by the University of Wisconsin Oshkosh through the usual budget processes.

(8) Grievance Procedure.

(a) Introduction

1. Definitions

Disability means, with respect to an individual:

a. a physical or mental impairment that substantially limits one or more of the person’s major life activities;

b. a history of such an impairment; or

c. being regarded as having an impairment.

A qualified Individual with a Disability is someone who (with or without accommodations) meets the essential eligibility requirements for participating in programs, services, and activities provided by the University.

The University has an obligation to provide reasonable accommodation for an individual with a disability if that disability substantially limits access to facilities or service. Reasonable accommodations include, but are not limited to adjustments to rules, policies, or practices; environmental adjustments such as removal of architectural, communication, or transportation barriers; or auxiliary aids and services. Reasonable accommodations do not include changes that involve a significant alteration of admission or academic curriculum requirements, actions that create an "undue hardship" on the operation of the University, or services/aids considered to be personal in nature.

2. Accommodation Request Process

All requests for reasonable accommodation for students with disabilities should be directed to the Coordinator of Services for Students with Disability (CSSD). The student
must request accommodation in writing and provide supporting medical documentation. Specific criteria for documentation (i.e., learning disabilities, attention deficit disorder, medical conditions, etc.) can be obtained from the CSSD. Applications for accommodation can be submitted at any time. The CSSD will issue a response to the written application and its accompanying documentation within 30 calendar days of receipt. However, a thorough review of the request as well as implementation of reasonable accommodation usually takes approximately eight weeks.

(b) Filing a Grievance

1. Informal Process

If the CSSD denies a student request for accommodation due to disability or a student has a complaint about an action that potentially violates the ADA or Section 504 of the Rehabilitation Act, the student should first engage in new or continued contract with the CSSD (i.e., submission of additional documentation, meeting in person, exploration of alternative options) to identify a solution. The CSSD will consult with faculty, staff, department chairs, or other University personnel involved in the dispute to understand their perspectives and solicit additional potential solutions. Every effort will be made to reach a solution informally.

2. Formal Process

A student may file a formal grievance if the efforts to informally resolve the request for accommodation are not considered satisfactory by the student. The grievance should be submitted in writing to the ADA Advisory Committee. The student must describe the nature of the grievance, the accommodation requested of the University and accompanying rationale, and supporting medical documentation related to her/his condition. This information will be forwarded, along with relevant records from the CSSD, Dean of Students, and other involved University personnel, to an ad hoc Grievance Committee comprised of five individuals appointed from the University ADA Advisory Committee. Minimum representation will include one faculty member, one staff member, and one student. A faculty or staff chairperson will be assigned for each Grievance Committee. Grievances relating directly to accommodations for course requirements or class assistance will have at least two faculty members on the committee. The Grievance Committee will meet to review the matter within 30 calendar days of receipt of the grievance. The Grievance Committee and student may mutually agree to postpone the proceedings to a specified date for further information gathering purposes (i.e., additional opinions or information). The committee can request witnesses, materials, and opinions related to the case as it deems necessary and will protect the confidentiality of the student (disclosing the student's identity only on a “need to know” basis) to the extent allowed under state and federal law. Within 14 calendar days after their first meeting to review the matter, the Grievance Committee will communicate the findings in writing to the student, CSSD, faculty or staff directly involved. If the Grievance Committee's decision is unacceptable for the student, faculty, or staff, an appeal may be filed with the Provost and Vice Chancellor within 10 calendar days from the notification date of the decision. The Provost and Vice Chancellor will make a final decision and provide this response in writing to all involved parties.


36.12 Student discrimination prohibited.

(1) No student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course or facility of the system or its institutions or centers because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

(2) The board shall

(a) direct each institution and center to establish policies and procedures to protect students
from discrimination under sub. (1). The policies and procedures shall do all of the follow-
ing:

1. Provide criteria for determining whether sub. (1) has been violated.
2. Provide remedies and sanctions for violations of sub. (1).
3. Require a complainant to file a complaint with the institution or center within 300 days of the alleged violation of sub.(1).
4. Provide periods within which the complainant and the institution or center must act for each procedural step leading to the issuance of a final decision and for appeal of the final decision to the Chancellor of the institution or Dean of the center.

(b) The board shall establish policies and procedures for the appeal of the Chancellor's or dean's decision to the board.


In determining whether discrimination in violation of s. 36.12, Wisconsin Statutes, has occurred, the University of Wisconsin Oshkosh, through the Dean of Students Office, shall apply state and federal statutes, regulations, and case law relevant to the basis of discrimination being alleged, including but not limited to such legal materials and precedents as Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, s. 101.223, Wis. Stats., s. 36.1` (3)(a), Wis. Stats., the United States Constitution, the Wisconsin Constitution, and related regulations and case law.

In any case where there is a question as to whether the action or conduct in question violates s. 36.12, Wisconsin Statutes, University Legal Counsel shall be consulted.


Complaints alleging a violation of s. 36.12, Wisconsin Statutes, must be filed with the Dean of Students Office within 300 calendar days of the alleged violation.


(1) The Dean of Students Office shall be responsible for:

(a) Reviewing each complaint;
(b) Providing procedural information to the complainant;
(c) Referring the complainant to any other more relevant complaint or grievance process, if appropriate (as for example, if the complaint alleges sex discrimination, referring the matter to the grievance process established under Title IX); and
(d) Conducting investigations of complaints, where no other complaint or grievance mechanism applies to the subject matter of the complaint.

(2) After initial review to determine jurisdiction and the availability of appropriate review mechanisms, the Dean of Students Office shall refer a complainant to another relevant complaint or grievance procedure and further action on the matter will be taken in accordance with that other procedure. In those instances where there is no other relevant complaint or grievance procedure, the Dean of Students Office shall process the complaint as provided below.

(3) Where the Dean of Students Office retains jurisdiction and determines after investigation that no discrimination in violation of s. 36.12 has occurred, the complaint shall be dismissed, and the complainant and any other interested parties will be so advised. In the event a complaint is dismissed under this paragraph, the complainant may appeal to the Vice Chancellor for Student Affairs within 10 calendar days of the dismissal.

(4) Where the Dean of Students Office has retained jurisdiction over the complaint and determines after investigation that discrimination in violation of s. 36.12 has occurred, the Dean of Students Office may:

(a) Attempt to resolve the matter through mediation among the involved parties;
(b) Recommend remedial action to eliminate the discrimination to the appropriate administrators; or

(c) Refer the matter to the appropriate administrators for review and consideration of possible disciplinary action, where misconduct by faculty, staff or students appears to be involved. In those instances where the Dean of Students Office makes such a referral, the matter so referred shall then be reviewed and processed as provided under the appropriate applicable disciplinary procedure.

(5) The Dean of Students Office shall make every effort to complete its processing of a complaint within 30 calendar days of receipt (subject to possible extension up to a maximum of 90 calendar days of receipt).

(a) In the event attempts at mediation under paragraph (4)(a) fail, or a recommended remedial action under paragraph (4)(b) is rejected, the complainant may appeal to the Vice Chancellor for Student Affairs within 10 calendar days of the action. The review of the appeal conducted by the Vice Chancellor for Student Affairs shall result in the preparation of written report and recommendation to the Chancellor.

(b) In the event the matter is referred under paragraph (4)(c) above, the time limitations and procedures applicable to employee or student disciplinary matters shall apply.

(6) In all matters involving an alleged violation of s. 36.12, the Chancellor's decision shall be final, except that the Board of Regents may, consistent with the Bylaws of the Board of Regents of the University of Wisconsin System, conduct a review on the record.


Notice Concerning Student Records. Student records must be kept and held confidential. Students retain the right to inspect, copy, and correct their records. (Reference: The Family Educational Rights and Privacy Act (FERPA, 20 U.S.C. 1232g, 45 C.F.R. Part 99), also known as the Buckley Amendment.)

(1) Student Directory Information.

The University may release "directory information" without student consent if the student is given an opportunity to request that the information be kept confidential. Student requests to limit disclosure of directory information are filed with the Vice Chancellor for Student Affairs. (Directory information includes: name, address, telephone listing, date and place of birth, major field of student, participation in officially-recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student.)

(2) Other Records.

University employees with a legitimate educational interest in other student records may have access to confidential information. This information is restricted to a "need to know basis," i.e., no one should be provided with information unless the requester, by virtue of some legitimate responsibility to the University, has a bona fide reason for that information. Before releasing non-directory information, the employee must be performing a task that is specified in the employee’s job description or that is directly related to the employee's obligations to the University.

(3) Questions; Additional Information.

Questions can be addressed to the Vice Chancellor for Student Affairs. The complete University policy statement is printed in the undergraduate and graduate Bulletin and the Student Handbook.


(1) Extreme winter weather conditions occasionally restrict the ability of the University's faculty, staff and students to travel. However, it is the University's policy to remain open whenever possible despite these extreme conditions. Only in the most extraordinary conditions will a decision be made to cancel or suspend classes. In those relatively rare instances in which
classes are cancelled, the University remains open and essential services are provided.

University Police in conjunction with the Facilities and Grounds crew responsible for snow removal and addressing ice conditions have the ongoing responsibility to continuously monitor winter weather conditions. These individuals are also assigned the responsibility to provide information and recommendations to the administration on current and projected winter weather conditions.

(2) As road conditions can vary widely within communities and across the broad expanse of the University’s service region, all members of the University community—faculty, staff, students, guests, etc.—are expected to use and exercise good judgment in making the decision whether conditions pose a problem in traveling to campus. Faculty and instructional academic staff who are unable to meet an assigned class, should make appropriate arrangements with the department chair or with other colleagues to meet all scheduled classes. Students experiencing weather-related transportation difficulties should attempt to make contact with their course instructors before the class is scheduled to meet. Students who exercise sound judgment and decide not to travel to a class(es) should not be penalized for their absence. Faculty and instructional academic staff are encouraged to discuss this policy with students and to outline any specific or particular arrangements that pertain to a given course. Through the University’s automated Weather Line (920-424-0000), the University provides immediate access to information concerning any cancellations or suspensions. When classes are cancelled the University notifies regional radio and television stations. When classes are cancelled, the University shall also send an e-mail notice to all employees and, if possible in a timely way, post an announcement on this condition on the University’s homepage.

(3) When calling the Weather Line, please note that unless a specific time-dated message is recorded, all classes at the main campus will be held as scheduled. Programs with significant off-campus course offerings (Head Start, College of Business, College of Nursing, College of Education and Human Services, Center for New Learning and Continuing Education) have their own notification procedures for any weather-related adjustments.

(4) When classes are cancelled, the University remains open and all non-teaching staff is expected to report to work. Individuals experiencing weather-related transportation problems should contact their immediate supervisors or directors. Employees who miss work due to weather or who leave early due to weather conditions have the following options:

(a) To make up the missed work during the week of absence, as arranged with their supervisor;

(b) To use accumulated leave time (whether vacations, floating holidays or compensatory time); or

(c) To use leave without pay.

(5) Decisions to cancel or suspend classes are made by the Chancellor, or in the Chancellor’s absence, in order, by the Provost, by the Vice Chancellor for Student Affairs, or by the Vice Chancellor for Administrative Services.
Faculty Chapter One

Part A. Faculty Role and Responsibility.

FAC 1.A.1. Introduction.

The purpose of this document is to establish procedural guarantees of due process which preserve individual rights within the collegial environment of the university. Although these procedures are established to protect both the individual and the University, they should also be viewed as means of preserving the integrity of valued traditions of academic freedom and professional responsibility rather than as ends in themselves. Participants in the personnel procedures established herein should understand them as essential components of a vigorous and self-governing academic community with a basic interest in assuring fair treatment and adherence to accepted academic values.


(1) Principles.

To be free, a university must encourage a full examination of all viewpoints, but to remain free, the institution must avoid actions which advocate a particular viewpoint.

In opening its doors to the interchange of ideas, discussion, debate, and the development of alternate approaches, the university itself assumes an obligation to retain a neutral platform. To do otherwise and lend its weight to a particular position would be to stifle the very freedom which it purports to encourage.

The faculty member has the freedom of any citizen. In turn, he/she has the same responsibilities. As an individual, the faculty member has freedom of expression in research, publications, classroom discussion, speaking or writing. As a teacher, he/she has a responsibility to students and to the institution. These responsibilities include giving full attention and effort to the course being taught, avoiding introduction into the classroom of material which does not relate to the subject, being accurate, showing respect for all opinions and persons, making clear that he/she speaks as an individual and not for the department or institution, and undertaking such duties as are prescribed by the institution which gives employment.

(2) Campus Speakers.

As an institution of higher learning devoted to the spirit of free inquiry, this university neither seeks to inculcate the doctrines held by a majority nor shuns those advocated by a minority; rather, it encourages the fair and orderly presentation of varying points of view.

To promote this goal the university requires that:

(a) All campus speakers must be sponsored by a faculty member or a student organization recognized by the Oshkosh Student Association.

(b) All established and published procedures concerning the reservation or use of campus facilities must be observed.

(c) Whenever feasible, the chairperson of the meeting should come from the sponsoring agency, and an opportunity should be provided for the presentation of other points of view. A minimum requirement should be the provision of a question-and-answer period.


(1) Statement of Introduction.

The University community recognizes the value of providing useful information to help guide important personnel processes. Toward this end, "The Core of Academe," a statement originally issued by the American Association of State Colleges and Universities, is presented here for convenient reference to the University's faculty and academic administrators. The incorporation of
(2) Teaching, Scholarly Activity, and Service.

Since the earliest days of the academy, faculty members at institutions of higher education have been engaged in those activities intimately associated with teaching, scholarly activity, and service. Not always known by these labels, these three functions have constituted the idea of a university. Although most institutions today use teaching, scholarly activity, and service as the foundation upon which their programs are built, few definitions exist-by concept or example--of these core elements of the professorate.

(3) Teaching: Program Planning, Instruction, Evaluation, and Advisement.

Although a college or university may acknowledge its commitment as a teaching institution, this does not mean that it does not also have the obligation to engage in scholarly activity and public service. It does, however, set the teaching/learning process as an institutional priority. Teaching has four components: academic program planning and development, instruction, evaluation, and student academic advisement. The orientation of these elements facilitates the acquisition of knowledge and skills and enhances behavioral change.

Teaching is the critical ingredient that provides the mechanism by which two major purposes of the institution are achieved. Education should be concerned with experiences which strengthen human relationships, forge common bonds, and enhance the quality of life. Its emphasis should concern areas of our interrelatedness as members of the human community. Education should also develop within students the capacity for further learning in a particular discipline, concentrating on the knowledge and skills unique to the discipline and of value to graduates in the world of vocation. These two purposes then--one emphasizing the interrelatedness of knowledge and the other focusing on the uniqueness of knowledge--provide a framework within which the four components of teaching can function.

Professors may teach, but students learn. Further, students are quite capable of learning on their own. Given adequate resources from which to learn, the human organism is quite capable of self-instruction. The ability to learn independently, after all, is a valued quality of the professorate. Many educators think that the most significant single outcome of a university education is that students become lifelong learners when they leave the tutelage of the institution. The task of the professor, then, is to arrange the contingencies of teaching for learning to be most efficient and effective. A brief description of each of the four components of teaching follows.

(a) Academic program planning and development consists of analyzing the educational goals defined by a particular field of study. These goals are then reduced to objectives which define the scope and sequence of the subject content and learning experiences to be made available to the student. The specification of the scope and sequence of content must recognize the standard parameters of the instructional system in which the academic program is to function (124 semester hours’ credit, number and credentials of the faculty, facilities available, etc.). The competencies of students entering the program should be specified and opportunities to achieve additional necessary competencies identified. The task of academic program planning and development is to specify the desired results of the educational process and the most effective and efficient methods to achieve those results.

(b) Instruction refers to the process of using resources to achieve an identified educational objective. It is a process with internal order, sequence, and purpose. It is not a random encounter. Knowing what is to be achieved by the student, as well as the students initial competencies, the professor identifies the knowledge and skills to be taught, the learning experiences to be provided, instructional media to be used, the instructional strategies to be employed, and the time and facility resources required. All these are "arranged" in the proper order and time sequence to facilitate the learning process of the student. It is possible to categorize instructional methods available to faculty in three broad areas: large and small group instruction, used primarily for the dissemination of knowledge, laboratory, practicum and internship sessions, used for skills development: and the tutorial, to provide students the opportunity for independent study and faculty for individual guidance (small seminars, reading courses, theses and dissertations, etc.)
(c) Evaluation spans academic program planning and development, instruction, and advising. It provides an objective verification that the academic plan (component one) was carried out (component two), and that a legitimate learning experience occurred. Evaluation is used initially to determine the needs of students, as well as their initial level of competency. During instruction, evaluation is utilized to provide guidance to students for their learning experiences, as well as data to the professor to evaluate the instructional process. Evaluation is again employed at the termination of instruction to assess the attainment of the adequacy of instruction. Evaluation may also be used to provide performance data concerning instructional strategies, various forms of instructional media, relevance of the content of the course, and the adequacy of the facilities used in instruction. Evaluation meets two basic needs of teaching: (1) it provides information about the student and (2) it provides information concerning instruction.

(d) Academic advising goes beyond reviewing requirements for graduation, assisting students in making out a schedule, or signing a class card. It is a vehicle by which the student may develop as an independent thinker and learner. The goal of academic advisement is to assist the student in the exploration of the student’s life/career goals and the specification of an educational plan to reach those goals. It also includes monitoring the student’s progress toward implementing that plan, providing advice and an interpretation of appropriate and inappropriate learning behaviors during the instructional sequence, and evaluating the learning experience at the termination of the instructional process. Academic advisement is an active process of sharing between the faculty member and the student concerning any relevant variable associated with the student’s academic program. The goal of academic advisement is to assist the student in obtaining as much benefit from the educational experience as possible.

There are a multitude of activities concerned with teaching. Some of those representative are noted below.

Those provided are meant to serve as examples only and should not be perceived as the total universe of teaching activities. The professor is engaging in academic program planning and development, instruction, evaluation, and academic advising when he or she:

1. demonstrates teaching competence in a chosen content area and guides and inspires students;
2. integrates current scholarly activities within a given discipline into the overall scope of instructional content;
3. holds memberships on graduate student committees and directs theses and special investigations;
4. teaches honors courses and provides for individualized instruction where required;
5. contributes to course and curriculum development and prepares and uses instructional media;
6. experiments with instructional methods and techniques;
7. attends conferences, conventions and meetings relevant to teaching the chosen discipline;
8. demonstrates an impact on students, both objectively and subjectively;
9. participates in the academic governance of the academic unit to which assigned;
10. contributes to the development of both library and other learning resources relevant to content area of teaching;
11. seeks opportunities to interact with colleagues to improve instruction;
12. is available to the academic community to consult with students concerning learning difficulties and with colleagues concerning academic program issues;
13. periodically reviews and revises course materials including textbooks, syllabi, evaluation instruments and instructional media;
14. maintains academic integrity and the academic standards of the institution;
15. provides students with objectives relevant to the course taught, appropriate references, information about the topics to be covered, and criteria for performance;
16. provides for student evaluation of the course and the instructor and uses the results of such evaluation to revise course and methods of instruction;
17. makes available opportunities for students to learn of the primary sources of information associated with a particular discipline or area of study;
18. sponsors field trips, outside resource instructors, and student research projects;
19. assists students in making rational and relevant academic decisions as an academic adviser;
20. observes academic regulations as legislated by the faculty senate and instructional "good practices" as recognized by the profession.

(4) Scholarly Activity: Research, Scholarship, and Creative Endeavor.

Although a university may be committed to the idea of being a "teaching institution," that concept cannot be fulfilled apart from a similar commitment to scholarly activity. Scholarly activity has three components--research, scholarship, and creative endeavor--whose principal foci are oriented toward the academic program of the university and are carried out by individual faculty.

These activities are vital to the university and to its academic program and have an impact on the student as a learner. They are a very real part of the instructional process. In progress through undergraduate studies, the student is constantly moving toward more and more independent learning and learns that research and creative endeavor are necessary elements in the learning process. Students must have models of ongoing scholarly activity in which they can see the possibilities for their own creative talents. Faculty engaged in scholarly activity provide those models. In this sense, scholarly activity is an integral part of teaching.

Research, creative endeavor, and scholarship are also intimately involved in the professional development of individual faculty members. Through the process of sharing the outcomes of professional efforts with colleagues both on and off the campus, validation of progress in developing as a scholar in a discipline is received. Reviewing and critiquing the work of others provides opportunities for faculty to test ideas and concepts developed in their own work. Often, sharing scholarly activity with colleagues on the campus functions as a stimulus to fellow faculty. Since professional development is a lifelong task, sustained effort in this area of involvement is needed.

A detailed description of the three components of scholarly activity follows:

(a) Research for the purposes of this discussion will be categorized as discipline, applied, and pedagogical. The first orients toward new knowledge, the second toward the utilization of that new knowledge, and the third toward methods of teaching and learning. Discipline research is activity which is carried out with the deliberate intent of extending the frontiers of knowledge in a particular academic discipline. Little attention is given to the applicability or practical use of possible discoveries. Applied research is activity that is carried out with the deliberate intent of solving a specific problem in an immediate time frame. The focus of the activity is the applicability of the research to a well-defined, real-life need. Pedagogical research is activity which explores the merits of one educational approach to instruction over another approach, under what conditions students learn best, how educational material may be organized to enhance the learning process, investigations of the degree to which curricula meet the requirements they have been designed to meet, etc. The sharing of the results of research, as outlined later in this paper, is an integral part of the research process. The responsibility to communicate the results of research to assist colleagues, as well as to validate findings, is the task of the faculty member. The responsibility to support and facilitate research efforts on the part of the faculty is the task of the academic administrator.

(b) Scholarship is an area of scholarly activity that refers to updating and extending an area of study within the professional life of the faculty member. University professors must be constantly alert to new and innovative directions in their disciplines if their leadership in the class-
room is to be truly effective. It is this kind of activity that frequently spells the difference be-
tween professors who are inspiring and creative in the role as teacher and those who only
continue to use notes on aging yellow pages. Faculty engaged in scholarship are those who
take advantage of the opportunities to remain viable and active in their particular areas of
specialty. The development and sharing of ideas; the conception and implementation of new
and creative instructional materials; participation in conferences, conventions, workshops,
professional meetings; and the publication of articles and monographs in areas other than re-
search are samples of such activities.

(c) Creative endeavor refers to the result of the production of creative work by faculty. Creative
endeavor is most easily identified when associated with the performing arts (theater, music,
dance) and the fine arts (two- and three-dimensional art, writing) It is also most appropriate to
apply it in the area of applied arts (architecture, graphics and printing, design, decorating)
Creative endeavor involves not only the creation of a tangible product, but the subjection of
that creative piece to judgment by public and peers through the vehicle of performance,
show, publication, display, or exhibit. There is some overlap area of scholarship. For ex-
ample, an article dealing with the impact of carbon steel by its inventor could be classified as
creative endeavor.

Some activities indicative of scholarly activity follow. Those provided are meant to serve as ex-
amples only. They should not be perceived as the total universe of scholarly activities.

1. produces, exhibits, or performs creative works;
2. delivers invited lectures, papers, speeches, or presentations at colleges or universities,
   professional meetings, conventions, and conferences;
3. submits products of scholarship to colleagues for evaluation and critique;
4. collaborates with colleagues on the local and other campuses in activities oriented to-
   ward making a contribution toward the advancement of knowledge, methodology, or de-
   velopment of a discipline;
5. applies for and receives grants and awards;
6. obtains recognition regionally, nationally, or internationally for recent, as well as past,
   contributions to a particular field of study by a variety of means (request for reprints, invi-
   tations to read papers, citations of research, invitations to exhibit, etc.);
7. participates in institutes, short courses, seminars, and workshops that are related to the
   faculty members discipline;
8. publishes the results of research, scholarship, and creative endeavor through vehicles
   such as monographs, textbooks, papers, abstracts, book reviews, poems, plays, musical
   compositions, etc.;
9. holds membership in professional societies relevant to a specific discipline;
10. obtains copyrights or patents on works produced;
11. engages in specific self-study or a professional growth plan to enhance professional
    competency;
12. edits papers for journal publication, grant proposals for awards, chapters for books, or
    other scholarly activity of like nature.

(5) Service: Institutional, Professional, and Community.

An institution should strive, through its faculty and staff, to provide excellent teaching, quality
scholarship, and meaningful service. Service activities have the potential to make positive contri-
butions to both scholarly activity and teaching and have been a traditional part of all academic
communities. This service manifests itself in three areas: institutional service, professional ser-
vice, and service to the community.

It is recognized that faculty members possess talents and interests in a variety of fields and are
capable of rendering service in areas quite unrelated to their discipline, as well as those that are
very closely related. Although they should not be discouraged from providing service in any field in which they have an interest, it should be understood that faculty activities are, as a general rule, considered to be valid university service only when they are performed using competencies relevant to the faculty members role and/or area of specialization at the university. Service provided through an avocational interest or associated with some special talent or skill not related to ones professional competence or assignment will not be considered valid university service unless the performance of the service is in some manner related to ones university appointment. For example, if a faculty member whose discipline is psychology sings in the community chorus, such service would not be considered a university-contributed community service. On the other hand, if that faculty member led group marriage counseling sessions for the YMCA, such service would be a legitimate contribution of the university to the community. Should a member of the psychology faculty be invited to provide a service (one not related to that discipline) because of the fact that the individual is affiliated with the university, such service would also be considered a university-contributed service. Faculty members are encouraged to pursue any opportunity to participate in the improvement of the quality of life in the community as citizens of that community and as examples of good citizenship. Service activities have the potential of making significant contributions to teaching, scholarly activity, and the quality of life in the academic and lay community. The setting of academic policies and regulations, guiding of curriculum development, and contributing to the acquisition and use of library media and instructional technology are intimately related to the teaching function of the faculty member and the university. Consulting, speaking to groups external to the academy, planning professional development opportunities, and serving in professional societies contribute more than tangentially to ones scholarly activity. Representing the university at various community functions, serving on community committees, providing training to lay groups, and giving on ones expertise in accomplishing community tasks influence positively the quality of life in the community as well as the university.

A detailed description of the three components of service follows.

(a) Institutional service consists of serving on departmental, school, and university standing and ad hoc committees. In addition, teaching in continuing education credit and non-credit programs both on and off campus are also considered in the service category as are activities associated with completing special studies and projects for the university (e.g., studying the economic impact on the region, surveying the adequacy of academic advising in a particular academic unit, etc.)

(b) Professional service consists of serving in some official capacity (officer, committee member, discussant, reviewer, session chairperson, editor, etc.) the needs of a professional society or organization related to some degree to the discipline area of expertise of the faculty member. Professional service should also be acknowledged for establishing consulting relationships with government, business, or industry, whether that service receives compensation or not. The key here is that the faculty member is recognized as having an expertise that has been sought. If the service performed is considered an integral part of the faculty members assignment (such as “on loan,” exchange or various released time arrangements), then it should also be evaluated in the most relevant category (e.g., administering a workshop for the Environmental Protection Agency would be teaching, performing research for pecan growers in Northeast Oklahoma would be scholarly activity, developing a computer program for a small business would be service) Relevance to the faculty members area of expertise still remains the overriding factor.

(c) Community service literally includes that remainder of the myriad of activities that faculty perform for the local and regional community in which they live that are related to university expertise or affiliation.

Serving on various city, county, state, and regional (or federal) committees in a wide variety of capacities are categorized in this particular area. Nongovernmental and not-for-profit agencies and organizations are also included here. It must be remembered that the categorization of service activities in many cases will be arbitrary and the degree of accuracy with which one categorizes service is not precise. The critical task is, first to, do the service, and second, categorize that service. The only reason that these classifications are presented is to provide some structure that
will enable faculty and academic administrators to define relevant service activities, not to place
them compulsively into a variety of categories.

Examples of institutional service, professional service, and service to the community may take the
form of any of the sample activities given below:

1. provides academic and career counseling and advisement to students on a regular basis;
2. participates in noncredit continuing education programs both on and off the campus;
3. plans and leads noncredit workshops, institutes, discussion groups;
4. functions as an officer of local, regional, national, or international professional organizations;
5. serves on departmental, school, and university committees;
6. assumes a variety of administrative responsibilities relating to both the academic and
   support services of the university community;
7. conducts various institutional studies;
8. contributes services to the community that are relevant to the faculty member’s role at the
   university;
9. consults as requested with government, business, and industry to provide a variety of
   applications of the faculty members expertise;
10. participates in sponsoring activities of various student clubs, societies, organizations.

(6) Institutional Purpose and the Core of Academe.

Cardinal Newman in "The Idea of a University" noted that a "university... aims at raising the intellec-
tual tone of society, at cultivating the public mind, at purifying the national taste, at supplying
pure principles to popular enthusiasm and fixed aims to popular aspirations, at giving enlargement
and sobriety to the ideas of the age, at facilitating the exercise of political power, and refining the
intercourse of private life."

The contemporary university must engage in all the activities discussed and others as well.
Through program planning, instruction, evaluation, and advisement--buttressed by research,
scholarship, and creative endeavor--institutional, professional, and community service, a higher
education institution merits the label of "university."

The university, through teaching, scholarly activity, and service, strives to transcend the limita-
tions of ignorance, to probe the analogy that is life and the perceptions of truth that reside in the
reality of existence.

(7) Credit and Reference.

James E. Gilbert, president, East Stroudsburg University of Pennsylvania, and the staff at
Pittsburg State University (KS) originated this statement. Reference: AASCU, American Associa-
tion of State Colleges and Universities, One Dupont Circle, Suite 700, Washington, D.C. 20036-
1192; (202) 293-7070. Allan W. Ostar, President (May 30, 1987).


(1) Faculty members shall enjoy and exercise all rights secured to them by the Constitution of the
United States and the Constitution of the State of Wisconsin, and by the principles of academic
freedom and precepts of collegiality as they are generally understood in higher education, as well
as rights specifically granted to them by the Board of Regents action, University of Wisconsin
System rules, and the Faculty Constitution of the University of Wisconsin Oshkosh, rules and pol-
icies of the university and its colleges, schools, departments and analogous units, and bylaws of
the various units. The free exercise of these rights shall under no circumstances be deemed ade-
quate cause for disciplinary action. Faculty members shall be subject to disciplinary action only for
adequate cause.

(2) The rights of faculty members carry with them responsibilities for adhering to canons of profes-
sional conduct as they are understood in higher education. The general principles understood to
govern the conduct of faculty members are set forth in the following statement adopted by the AAUP ("Academe," July-August 1987) The faculty of the University of Wisconsin-Oshkosh endorse this statement.

(3) AAUP Statement on Professional Ethics.

(a) Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

(b) As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student’s true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.

(c) As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.

(d) As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within the institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.

(e) As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college of university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

FAC 1.A.5. Liability and Indemnification.

Wisconsin law provides liability protection for actions taken within the scope of employment. (Reference: Section 895.46, Wisconsin Statutes.) This means that University employees who are sued for actions within the scope of their employment are entitled to legal representation, or payment of attorneys fees. In these instances, the state assumes responsibility for the payment of any resulting judgment against the employee, in excess of any applicable insurance. In order to be entitled to these protections, the employee must provide prompt notice of suit, and cooperate in the defense of that action.
Part B. Definitions and Procedures.

FAC 1.B.1. UWS 1 {Definitions} of the Wisconsin Administrative Code, Rules of the Board of Regents.

UWS 1.01 Academic Staff.
"Academic staff" means professional and 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.

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

UWS 1.02 Board of Regents or board.
"Board of Regents" or "board" means the Board of Regents of the University of Wisconsin System.

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

UWS 1.03 Department.
"Department" means a group of faculty members recognized by the faculty and Chancellor of the institution, and the board of regents, as dealing with a common field of knowledge or as having a common or closely related disciplinary or interdisciplinary interest.

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

UWS 1.04 Faculty.
"Faculty" means persons who hold the rank of professor, associate professor, assistant professor, or instructor in an academic department or its functional equivalent in an institution. The appointment of a member of the academic staff may be converted to a faculty appointment in accordance with s. UWS 3.01 (1) (c).

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

UWS 1.05 Faculty status.
By action of the appropriate faculty body and Chancellor of an institution, members of the academic staff may be designated as having "faculty status." "Faculty status" means a right to participate in faculty governance of an institution in accordance with the rules of the institution. Faculty status does not confer rank or tenure, or convert an academic staff appointment into a faculty appointment.

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

UWS 1.06 Institution.
"Institution" means any university, or an organizational equivalent designated by the board.

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

UWS 1.07 University.
"University" means any baccalaureate or graduate degree granting institution.

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

UWS 1.08 Notice periods.
(1) When an act is required by these rules to be done within a specified number of days:

(a) Day shall mean calendar day,
(b) The first day shall be the day after the event, such as receipt of a notice or conclusion of a hearing,
(c) Each day after the first day shall be counted, except that a Sunday or legal holiday shall not be counted if it would be the final day of the period.

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

As used in this document, administrative offices and personnel committees reviewing personnel actions shall include the following (or their comparable levels in service areas) as appropriate:

1. Department committee
2. Department chairperson or functional equivalent
3. College committee
4. Dean
5. University committee (if appropriate)
6. Provost and Vice Chancellor
7. Chancellor

**FAC 1.B.3. UWS 3.09** (Notice Periods), 3.10 (Absence of Proper Notification), and 3.11 (Limitation) of the *Wisconsin Administrative Code*, Rules of the Board of Regents.

**UWS 3.09 Notice periods.**

1. A faculty member who is employed on probationary appointment pursuant to s. 36.13, Stats., shall be given written notice of reappointment or non-reappointment for another academic year in advance of the expiration of the current appointment as follows:

   (a) When the appointment expires at the end of an academic year, not later than March 1 of the first academic year and not later than December 15 of the second consecutive academic year of service;

   (b) If the initial appointment expires during an academic year, at least 3 months prior to its expiration; if a second consecutive appointment terminates during the academic year, at least 6 months prior to its expiration;

   (c) After 2 or more years of continuous service at an institution of the University of Wisconsin System, such notice shall be given at least 12 months before the expiration of the appointment.

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

**UWS 3.10 Absence of proper notification.**

If proper notice is not given in accordance with s. UWS 3.09, the aggrieved faculty member shall be entitled to a one-year terminal appointment. Such appointments, however, shall not result in the achievement of tenure.

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

**UWS 3.11 Limitation.**

Tenure and probationary appointments are in a particular institution; a tenure appointment is limited to the institution in which the appointment is held, unless another institution has, through normal procedures and explicit agreement, undertaken to share in the appointment. The explicit agreement shall specify both the tenure responsibility and the budget responsibility.

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

**FAC 1.B.4. Time Deadlines.**

Time deadlines set forth in this document are created to ensure that sufficient time is available for the gathering of persons and documents necessary for the fair and equitable treatment of grievances, reconsideration, appeals, and dismissals, but all persons responsible for meeting these deadlines should be aware of the university calendar and, therefore, should make every effort to discharge their responsibilities in the shortest time possible within their allotted deadlines. Should the deadline for any action fall on a Saturday, Sunday or legal holiday that day shall not be counted as the final day of the period.

**FAC 1.B.5. Wisconsin Open Meeting Law.**

1. Introduction to Requirements; General Information.
As a public agency, the University of Wisconsin Oshkosh is subject to the state’s open meetings law (19.81 et seq., Wis. Stats.) This law requires advance notice of meetings of the governance organizations and certain University committees; the law also restricts and limits the circumstances under which these “governmental bodies” may meet in closed session. The law is based on the policy that the public right to attend and observe meetings must be respected, consistent with the conduct of governmental business.

Under the Wisconsin Open Meetings Law, committees may conduct a closed meeting (but are not required to meet in closed session) for the purpose of reviewing and voting on the credentials of candidates for renewal. However, in order for a committee to lawfully meet in closed session, all of the following conditions must be satisfied: (1) the committee must provide legally-sufficient public notice of the meeting; (2) the meeting notice must identify the specific subject matter of the anticipated closed session; (3) the meeting notice must also specifically identify the statutory basis that authorizes meeting in closed session; (4) the meeting must start in open session and then properly reconvenes in closed session; and (5) the motion to meet in closed session (and the vote on that motion) must be recorded in the official minutes of the meeting. A closed meeting, therefore, can be held only by specific action of the committee.

Candidates for tenure do have the option of requesting that the committee conduct the evidentiary portion of its hearing in an open meeting. This means that for tenure-year decisions, a closed session may not be held over the objection of the faculty member whose credentials are under review at that meeting. To ensure compliance with the strict and nondiscretionary requirements of this law, the committee chair should make note of the following procedures:

- Committee chairs should send notices of all committee meetings to the University News Bureau for possible inclusion within THE BULLETIN. Note: The University now provides a form that can be used to provide public notice of meetings. This form also provides information to facilitate compliance with the open meetings law.

Meeting notices may also be posted on the departmental bulletin board. Notices must be published or posted at least 24 hours in advance of the scheduled meeting. When notices of meetings are sent to the News Bureau or posted announcing a renewal/nonrenewal/tenure meeting, they should also include the statement that it is contemplated that the body will meet in closed session (this statement must also identify the subject matter and the statutory basis of this closed session). In the event a candidate for tenure has requested an open meeting, this should also be indicated in the notice of meeting.

At the meeting, the committee chair should say, “I will now entertain a motion to reconvene in closed session to review credentials and to consider the formation of a recommendation on (renewal/nonrenewal) (tenure).” When a chair entertains this motion to reconvene in closed session, the chair should specifically cite the appropriate sections of the Wisconsin Statutes that authorize this closed meeting [i.e., most likely sections 19.85 (1) (c) and (f)]. The meeting minutes must record the motion as offered and seconded to convene in a closed session. Further, this motion “...shall be carried by majority vote in a manner that the vote of each member is ascertained and recorded in the minutes” (section 19.85). In the event the motion fails, the meeting must be conducted in open session. If the motion passes, the meeting will then be closed, with only members of the committee or individuals invited by the committee being eligible to attend.

Secret ballots may not be cast. Balloting can proceed in the following manner: a show of hands; signed ballots that will be saved and attached to the minutes; or each person’s vote can be recorded in the minutes; or a roll call vote, if requested by a least one member, with each person’s vote recorded in the minutes.

In general, you may not close a meeting and immediately reconvene again in open session. In these instances, section 19.85 (2) applies: “No governmental body may commence a meeting, subsequently convene in closed session and thereafter reconvene again in open session within 12 hours after completion of the closed session, unless public notice of such subsequent open session was given at the same time and in the same manner as the public notice of the meeting convened prior to the closed session.”

In the event renewal/nonrenewal involves a tenure decision the chairperson of the committee must inform the candidate in writing of the time and location the meeting will take place. The no-
notice shall include the statement that the individual has the right to request that the evidentiary portion of the meeting be held in open session.

If the individual requests an open meeting, the meeting may not be held in closed session. If the committee will be meeting to consider candidates for renewal (non-tenure-year) and candidates for tenure who have requested an open meeting the agenda must include appropriate notice as to the open and closed sessions of the meeting (and it is recommended that the open session portion of the meeting be held before convening in closed session).

In cases where a decision is made by an individual such as a chairperson, dean, etc., the Open Meetings Law does not apply since an individual does not constitute a "governmental body."

The law requires a minimum 24-hour advance notice of meetings; "unless for good cause such notice is impossible or impractical, in which case [notice as short as two hours may be given]."

Meeting notices should be provided to the News Bureau (for listing in the Bulletin), and may be posted on appropriate bulletin boards. Academic departments (and subunits of departments) are exempt from the notification requirements, but the meeting notice must be "reasonably likely to apprise interested persons, and news media who have filed written requests for such notice."

Meetings may only be closed to the public if the notice of meeting includes reference to a contemplated closed session. The grounds for closing a meeting are limited, as set forth in 19.85 (1), Wis. Stats. The statutes also establish a mandatory protocol for closing the meeting.

(2) Checklist -- Protocol for Meeting in Closed Session.

(a) The meeting notice must include notice of contemplated closed session (and identify the subject matter of that closed session)

(b) A motion must be made in open session to convene in closed session.

(c) The presiding officer must announce:

1. the nature of the business to be considered in closed session and
2. the specific exemption(s) claimed to authorize meeting in closed session.

(d) The announcement of the presiding officer (above) must become a part of the record of the meeting.

(e) The motion must carry by majority vote and the vote of each member must be ascertained and recorded in the minutes.

(f) The only business which may be taken up in closed session is that which related to matters contained in the presiding officer's announcement.

(g) The statutes do not address the question of whether voting can be done in closed session. The attorney general has opined that voting is permissible in those instances where the vote is an integral part of the reason for meeting in closed session; a decision by the court of appeals raised questions concerning this opinion. Therefore, if the members of a governmental body anticipate a compelling reason to vote in closed session, they should seek legal advice on this issue before that meeting is held.

FAC 1.B.6. Faculty Personnel Records.

The Provost and Vice Chancellor's Office shall establish and maintain individual faculty personnel files. Separate files shall be created for each individual and these files may be further subdivided into more than one file folder as necessary and appropriate for the orderly and efficient retention of these records.

(1) The Provost and Vice Chancellor shall designate one file as the official permanent personnel file. The permanent personnel file shall, at a minimum, contain the following items:

(a) Credentials and supporting materials (including the letters of reference) submitted at the time of initial appointment.

(b) Correspondence relating to renewal and tenure (including the letters of appointment and correspondence relating to dates of employment and compensation)
(c) Items pertaining to changes in status, medical leaves, leaves of absence or sabbatical leaves.

(d) Items pertaining to University awards or recognitions.

(e) Personnel transaction forms.

(f) Items pertaining to formal disciplinary action.

(2) The Provost and Vice Chancellor may establish other individually identifiable files that include information such as the following:

(a) Renewal and tenure forms (and any supporting credentials)

(b) Promotion forms.

(c) Other forms and miscellaneous materials relating to the evaluation of performance (including information submitted in support of merit salary increases or other adjustments in compensation)

(3) As the custodian of all personnel records, the Provost and Vice Chancellor shall establish a records retention policy that is consistent with all applicable laws and regulations. Additionally, the provisions of this rule should be read in conjunction with section 103.13 of the Wisconsin Statutes.

(a) Consistent with sections 103.13 (2) and (3) of the Wisconsin Statutes, the Provost and Vice Chancellor shall, upon request, provide timely access to all personnel records and materials.

(b) Items exempt from disclosure are set forth in section 103.13 (6) of the Wisconsin Statutes.

(c) As provided in section 103.13 (7) of the Wisconsin Statutes, the employee may copy or receive a copy of any records. The Provost and Vice Chancellor may charge a reasonable fee not to exceed the actual cost of reproduction.

(d) Consistent with sections 103.13 (4) of the Wisconsin Statutes, an employee may request that specific items be removed or corrected. If any agreement is not reached with the Provost and Vice Chancellor, the employee member may submit a written statement to be attached to the disputed portion of the personnel record.


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

**FAC 1.C.1. UWS 2 (Faculty Rules, Coverage and Delegation) of the Wisconsin Administrative Code, Rules of the Board of Regents.**

**UWS 2.01 Rules.**

Rules in c's. UWS 2 and 3 apply to all faculty appointments made on or after the effective date of these rules. Any person who holds a tenure appointment under former c's. 36 and 37, Stats. 1971 and related rules shall continue to hold tenure as defined under those chapters and related rules. Any person who holds a probationary appointment under former c's. 36 and 37, Stats. 1971 and related rules shall continue to enjoy the contractual rights and guarantees as defined under those chapters and related rules, and may elect to be considered for tenure according to the procedures existing under that appointment or under rules and procedures in effect at the time of consideration. The rules in c's. UWS 4 to 8 apply to all appointments to faculty positions regardless of whether the appointment preceded the adoption of these rules.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75; am. Register, January, 1986, No. 361, eff. 2-1-86.

**UWS 2.02 Delegation.**

Rules and procedures developed pursuant to c's. UWS 3, 4, 5, 6, and 8 by the faculty of each institution shall be forwarded by the Chancellor to the president and by the president to the board for its approval prior to their taking effect. Such policies and procedures, unless disapproved or altered by the regents, shall be in force and effect as rules of the regents.

History: Register, January, 1975, No. 229, eff. 2-1-75; am. Register, January, 1986, No. 361, eff. 2-1-86.

**FAC 1.C.2 Enforcement.**

When these rules have been approved by the Board of Regents, they have the status of rules of the Regents and may be enforced in the same manner as state statutes.

**FAC 1.C.3. Implementation.**

The Faculty Senate shall have primary responsibility to review the implementation of these rules. The Chancellor shall be responsible for the administration of these rules, and may assign specific responsibilities to other administrative personnel. The Chancellor and the Faculty Senate Executive Committee shall have the joint responsibility to identify, review, and propose changes to these rules.
Faculty Chapter Two
Faculty Recruitment

FAC 2.0. Incorporation of College Personnel Materials.
Please note that substantive requirements relating to faculty appointment, renewal, tenure, promotion, and merit may be found in materials developed at the college or department level. College-specific information has been included as an appendix to this material.

FAC 2.1. UWS 3.02 {Faculty Appointments} of the Wisconsin Administrative Code, Rules of the Board of Regents.

UWS 3.02 Recruiting.
The faculty of each institution, after consultation with appropriate students and with the approval of the Chancellor, shall develop procedures relating to recruitment of members of the faculty. The procedure shall be consistent with board policy and state and federal laws with respect to nondiscriminatory and affirmative action recruitment. The procedures shall allow maximum flexibility at the departmental, school and college levels to meet particular needs. In all instances the procedures shall provide for departmental peer review and judgment as the operative step in the recruiting process.

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

FAC 2.2. Announcements.
Identification of open faculty positions shall be made in accordance with published University policies. When it is determined that a faculty position is open, a position description will be prepared by the originating department or unit (on forms supplied by the Provost and Vice Chancellor’s Office) and forwarded via all levels to the Vice Chancellor for approval. The Provost and Vice Chancellor’s Office will then obtain all necessary clearances and assist in advertising.

(1) To help ensure that the position description will reach appropriate professional organizations, minority groups and women, each department or unit is expected to advertise independently of the services provided through the Provost and Vice Chancellor’s Office. Department or unit advertising must be consistent with university policy and with a department or unit affirmative action recruitment plan which has been approved by the University’s Director of Equity and Affirmative Action.

(2) The University’s Director of Equity and Affirmative Action is available for consultation and to provide additional assistance to ensure that departments and units are in compliance with local, state and federal affirmative action rules and regulations as well as the University’s affirmative action plan.

(3) Each department or unit recruiting for a position will have the responsibility of identifying and interviewing candidates. Appropriate appointment forms shall be completed by the originating department or unit and forwarded through each supervisor to the Provost and Vice Chancellor’s Office for processing. The originating department or unit, in consultation with the dean or equivalent, will be responsible for recommending to the Provost and Vice Chancellor the terms of the contract, including type of appointment, salary, rank, and prior years of experience to be credited. This information should be consistent with the position as advertised. Final approval of the contract and terms rests with the Provost and Vice Chancellor.

FAC 2.3. Faculty Staffing Flexibility.
Whenever possible, instruction at the University of Wisconsin Oshkosh will be provided by tenured faculty or tenure-track faculty. While reaffirming our commitment to the policy of awarding tenure without quotas, we also recognize the need to preserve staffing flexibility. This policy expressly recognizes the need for some instructional academic staff appointments and the vital role instructional academic staff play at the University of Wisconsin Oshkosh.

(1) Academic departments, in consultation with the academic deans and Provost and Vice Chancellor, are responsible for recruiting instructional tenure-track faculty and instructional academic staff.
(2) Instructional appointments shall generally be made to tenure-track faculty positions.

(3) In recognition of the need to provide staffing flexibility, the Dean and Provost and Vice Chancellor should -- if provided with a compelling rationale by a department -- permit vacancies to be filled by instructional academic staff.

(4) Ordinarily, instructional academic staff may not serve more than five consecutive years in a full-time appointment. At the end of five years, the department may recommend to the Dean and Provost and Vice Chancellor a continuing appointment on the following conditions: (a) the individual has demonstrated teaching excellence; (b) an equally qualified tenure-track faculty member cannot be hired to fill the position; (c) there is a demonstrable pedagogical or educational reason for the continuing appointment; and (d) the individual has been considered for conversion to a faculty status, but the conversion is inappropriate based on the individual's credentials or unworkable in light of tenure density.

(5) All personnel processes relating to the performance assessment, evaluation, merit review, or contract renewal for instructional academic staff will take into account that there are different expectations regarding faculty and instructional academic staff performance and duties.

(6) Repeated academic staff appointments will not confer tenure or indefinite contract status to individuals reappointed to terminal contracts.
Faculty Chapter Three
Faculty Appointment

FAC 3.0. Incorporation of College Personnel Materials.

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

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

UWS 3.01 Types of appointments.

(1) Appointments to the faculty are either tenure or probationary appointments. Faculty appointments carry the following titles: professor, associate professor, assistant professor, and instructor.

(a) "Tenure appointment" means an appointment for an unlimited period granted to a ranked faculty member by the board upon the affirmative recommendation of the appropriate academic department, or its functional equivalent, and the Chancellor of an institution via the president of the system.

(b) "Probationary appointment" means an appointment by the board upon the affirmative recommendation of the appropriate academic department, or its functional equivalent, and the Chancellor of an institution and held by a faculty member during the period which may precede a decision on a tenure appointment.

(c) In accordance with s. 36.05 (8), Stats., academic staff appointments may be converted to faculty appointments by the action of the board upon the recommendation of the appropriate faculty body and the Chancellor of an institution. Such faculty appointees shall enjoy all the rights and privileges of faculty.

(d) In accordance with s. UWS 1.05 members of the academic staff may be given faculty status. Members of the academic staff who have been given faculty status have employment rights under the rules and policies concerning academic staff.

(e) A person holding a faculty appointment under ss. 36.13 and 36.15, Stats., shall not lose that appointment by accepting a limited appointment for a designated administrative position.

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

UWS 3.02 Recruiting.

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

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

UWS 3.03 Appointments--general.

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

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75.
(1) Each institution's rules for faculty appointments shall provide for a maximum 7-year probationary period in a full-time position, and may provide for a longer maximum probationary period in a part-time position of at least half time. Such rules may permit appointments with shortened probationary periods or appointments to tenure without a probationary period. Provision shall be made for the appropriate counting of prior service at other institutions and at the institution. Tenure is not acquired solely because of years of service.

(2) A leave of absence, sabbatical or a teacher improvement assignment does not constitute a break in continuous service and shall not be included in the 7-year period under sub. (1).

(3) Circumstances in addition to those identified under sub. (2) that do not constitute a break in continuous service and that shall not be included in the 7-year period include responsibilities with respect to childbirth or adoption, significant responsibilities with respect to elder or dependent care obligations, disability or chronic illness, or circumstances beyond the control of the faculty member, when those circumstances significantly impede the faculty member's progress toward achieving tenure. It shall be presumed that a request made under this section because of responsibilities with respect to childbirth or adoption shall be approved. A request shall be made before a tenure review commences under s. UWS 3.06 (1) (c). A request for additional time because of responsibilities with respect to childbirth or adoption shall be initiated in writing by the probationary faculty member concerned and shall be submitted to a designated administrative officer who shall be authorized to grant a request and who shall specify the length of time for which the request is granted. Except for a request because of responsibilities with respect to childbirth or adoption, a request made because of other circumstances under this section shall be submitted to a designated administrative officer who shall be authorized to grant a request in accordance with institutional policies. A denial of a request shall be in writing and shall be based upon clear and convincing reasons. More than one request may be granted because of responsibilities with respect to childbirth or adoption. More than one request may be granted to a probationary faculty member but the total, aggregate length of time of all requests, except for a request because of responsibilities with respect to childbirth or adoption, granted to one probationary faculty member ordinarily shall be no more than one year. Each institution shall develop procedures for reviewing the requests.

(4) If any faculty member has been in probationary status for more than 7 years because of one or more of the reasons set forth in sub. (2) or (3), the faculty member shall be evaluated as if he or she had been on probationary status for 7 years.

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

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

FAC 3.2.A. Probationary appointments.

Tenure is not acquired solely because of years of service.

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

The probationary period at University of Wisconsin Oshkosh shall be a maximum of: (1) seven years for faculty appointed full time; (2) ten years for faculty appointed at least three-quarter time but less than full time; or (3) fourteen years for faculty appointed at least half time but less than three-quarter time. As stated in section UWS 3.04(2), above: "A leave of absence, sabbatical or a teacher improvement assignment does not constitute a break in continuous service and shall not be included in the 7-year period . . .." In addition, as set forth in section UWS 3.04(3), above, other specified circumstances may also be excluded from the seven-year rule.
The proportion of time provided for in the appointment may not be diminished or increased without the mutual consent of the faculty member and the institution unless the faculty member is dismissed or terminated or laid-off.

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

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

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

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

1. The Provost and Vice Chancellor will serve as the "designated administrative officer" for making decisions on all requests to stop or suspend the tenure clock.
2. Probationary faculty initiate a request in writing filed with the appropriate dean. Duplicate copies of this material must also be simultaneously filed with the following individuals and offices (or their equivalents): the department chair, the department personnel committee, and the Director of Equity and Affirmative Action. The dean will then forward the request, with his/her recommendation, to the Provost and Vice Chancellor.
3. Any comments on the request from the offices designated above must be filed with the Provost and Vice Chancellor’s Office within ten working days.
4. No later than ten working days after the close of the period for receipt of comments, the Provost and Vice Chancellor shall make a final decision on the request. Copies of the decision shall be sent to the following individuals and offices (or their equivalents): the concerned faculty, the Chancellor, the college Dean, the department chair, the department personnel committee, and the Director of Equity and Affirmative Action. This decision is not subject to review or appeal.
   a. If the Provost and Vice Chancellor denies the request, it must be based upon clear and convincing reasons that are presented in writing to the probationary faculty member at the time that this decision is made.
   b. If the Provost and Vice Chancellor accepts the request, the notification of that decision shall specify the duration of the period covered by the decision and the timeline for the next personnel action pertaining to the probationary faculty member.

**FAC 3.3. Concurrent Appointments.**

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

1. A concurrent appointment as faculty member shall require the recommendation of the appropriate department or unit, and Chancellor.
2. Limited appointees who hold concurrent faculty appointments shall be considered on leave of absence from the faculty position for that portion of time assigned to the limited appointment. If the teaching assignment is one-half time or more the appointee moves toward tenure as defined by the probationary period listed above.
FAC 3.4. Granting of Years of Experience.

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

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

Initial appointments for faculty will typically be for two years, and can be recommended subject to the following conditions:

(1) The recommendations for two-year initial appointments will be initiated by the department level, recommended by the department chair and college Dean, and presented to the Provost and Vice Chancellor.

(2) All recommendations for two-year appointments will include written rationale from all levels of review that address the following factors: (a) the credentials of the prospective employee; and (b) an assessment of the candidate’s likely contributions in the areas of teaching, research and service.


Conditions of the appointment shall be specified in a letter of appointment signed by the Chancellor or designee and shall include detailed terms and conditions of appointment as follows:

(1) Rank;

(2) Duration of appointment;

(3) Salary;

(4) Starting and ending dates;

(5) General position responsibilities;

(6) Statement of need approval by Board of Regents (if appropriate);

(7) Enclosure of University of Wisconsin Oshkosh and System rules, policies and procedures relating to faculty appointments;

(8) Indication of whether the appointment is a probationary appointment or an appointment with tenure;

(9) Years of experience to be credited, including prior years of experience (if any) credited toward the probationary period; and

(10) Indication of whether the appointment is terminal and hence not subject to further notice of renewal/nonrenewal.

FAC 3.7. Immigration Law.

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

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

(2) I-9 forms will be retained in the Provost and Vice Chancellor's Office for a minimum of three years
after the date on which the person was hired, or one year after the date an individual's employ-
ment has been terminated, whichever is later.

(3) Copies of supporting documentation used to complete the I-9 form will be maintained in the I-9
file.

**FAC 3.8. Graduate Faculty.**

(1) Definition.

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

(2) Responsibility.

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

(3) Membership.

The Graduate Faculty shall consist of four groups:

(a) Ranked Faculty

Qualifications:

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

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

Qualifications:

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

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

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

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

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

(4) Appointment Procedure.

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

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

FAC 3.9. Changes of Status.

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

(1) From academic staff to faculty.

A change from academic staff to faculty requires a recommendation from the affected academic department or unit, through normal administrative channels, and approval by the Chancellor 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, and approved by the Chancellor. In addition: (a) the faculty member must be appointed to a position with different responsibilities than he/she had as a faculty member; (b) the new position responsibilities must satisfy those listed in the University of Wisconsin Oshkosh Academic Staff Policies and Procedures; and (c) the title used must be consistent with those found in the UW System guidelines (i.e., "Unclassified Personnel Guidelines No. 1").

(3) From faculty to limited appointment.

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

(4) From limited appointment to faculty.

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

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

FAC 3.10. Leaves of Absence.

A leave of absence generally includes leave without pay, sabbatical, 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, college, and Vice Chancellor levels. Leaves without pay are approved for a time period of up to one year and may be extended to two years. Leaves beyond two years may be negotiated. A leave of absence outside of FMLA is contingent upon affirmative recommendations for reappointment for the year in which the leave is requested.
The tenure clock automatically stops, unless otherwise requested, for faculty on leave for equal to, or
greater than, one semester. The contract is automatically extended for probationary faculty on leave and
this person does not go through the renewal process while on leave. When the faculty member returns, he
or she shall consult with the Provost and Vice Chancellor’s office to determine the appropriate renewal
cycle and terms of appointment consistent with the Faculty Personnel Policies. Upon return, the term of
appointment will extend for the same number of years 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.

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

FAC 3.11. Appointment of Adjunct Professors.

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

Listed below are items that pertain to these appointments.

1. Appointments are for one year only. Appointments may be renewed.
2. No salary or fringe benefits are awarded.
3. In some instances the University will furnish the person with a faculty identification card, office
   space and keys, mailbox, library privileges, a parking permit, use of University and departmental
   equipment, and departmental secretarial help.
Faculty Chapter Four
Faculty Renewal and Tenure

FAC 4.0. Incorporation of College Personnel Materials.

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

FAC 4.A.1. Faculty Retention.

Probationary faculty are offered positions with the expectation that they will become tenured faculty at the University of Wisconsin Oshkosh. To achieve that end, tenured faculty at the department level should begin advising probationary faculty during their first year of employment about the process for earning a tenured appointment. Support for probationary faculty includes such things as a mentoring system, a collegial atmosphere and a clear explanation of what is expected of the probationary faculty member. It is expected that tenured faculty will, after each regular performance review, provide appropriate advice and counsel to all probationary faculty. Just as tenured faculty have an obligation to review the work of probationary faculty in a fair and honest manner, probationary faculty also have an obligation to present materials for renewal and tenure in an orderly file that documents their teaching, scholarship and service.

FAC 4.A.2. Faculty Development.

The Faculty Development Program provides financial support for well-defined professional development projects through the following program components: Teaching, Research, Faculty College, University Needs, Off-Campus, Academic Staff Professional Development, University Institutes, Professional Development Semester, Individually Planned Program, and Small Grant.

All continuing faculty and academic staff holding full or part-time academic year or annual appointments are eligible to participate in the Program.

A detailed description of the Program and each component is contained in the Faculty Development Program Handbook, which can be located at http://www.uwosh.edu/organizations/faculty_development/ on the Faculty Development Program Web page.


Note: The following institutional guidelines are drawn from the UW System sabbatical program guidelines (ACPS-3.3) as revised Summer 1994 and describe program administration practices as implemented at the University of Wisconsin Oshkosh.

(1) Purpose.

The purpose of the faculty sabbatical program is to enable recipients to be engaged in intensive study in order to become more effective teachers and scholars and to enhance their services to the University. This privilege should be granted to faculty members on the merit of their past academic contributions.

(2) Eligibility.

A faculty member is eligible for a sabbatical award under the following terms:

(a) A faculty member must have completed six or more years of full-time instructional service, or its equivalent, in the UW System and not have taken a sabbatical within the UW System during the previous six years of full-time service, or its equivalent.

(b) Leaves of absence, regardless of source of funding (including personal resources), will be excluded in determining a faculty member’s years of full-time service.

(c) Preference shall be given to those making significant contributions to teaching and who have not had a leave of absence, regardless of funding source, in the previous four years.

(d) A sabbatical will not be awarded to a faculty member denied reappointment to a permanent position for the year following the proposed sabbatical leave.

(3) Types.

Two types of sabbatical leaves are available to faculty members at the University of Wisconsin Oshkosh:

(a) A faculty member may take a sabbatical leave for an academic year and receive from the institution 65% of his/her full compensation for that period.
(b) A faculty member may take a sabbatical leave for one semester of the academic year and re-
ceive from the institution his/her full compensation for that period.

While the outcomes of a sabbatical will vary from faculty to faculty, and from college to college,
there is a general expectation that the activities and outcomes contained in a one-year sabbatical
will be greater than those contained in a one-semester sabbatical. The Faculty Development
Board will assess the proposal to determine that the nature and extent of the proposed activities
and outcomes are appropriate for the length (one semester or two semesters) of the requested
sabbatical.

(4) Conditions.

The following conditions govern the faculty sabbatical program:

(a) A sabbatical leave will be granted for the purposes of enhancing teaching, course and curri-
culum development, or research related to the faculty member’s field of expertise.

(b) A faculty member may receive supplementary grants or other awards while on sabbatical
leave, but such compensation, when combined with the amount of institutional compensation,
shall not exceed the full compensation normally received from the UW System for the sabbat-
ical period.

(c) Such additional grants or awards may be received by a faculty member only if the conditions
for accepting the additional resources do not interfere with the stated purposes of a faculty
member’s sabbatical program.

(d) A faculty member may not use the sabbatical leave to accept other paid employment during
the period of the leave, unless as stipulated as a condition of the leave.

(e) A faculty member must specify in his/her application for the sabbatical program all grants or
other awards applied for or to be received during the leave.

(f) A faculty member must return to the institution from which leave was granted for at least one
academic year of service after the termination of the sabbatical, or repay any compensation
(salary, plus the University’s share of fringe benefits) received from the UW System during
the sabbatical.

(g) A faculty member must submit a written report detailing his/her accomplishments during the
leave within three months after the project completion date.

(h) Prior academic achievements, however, do not take precedence over the need to address in
detail the criteria listed in Section (6) below.

(5) Procedures.

(a) A Sabbatical application is due in the Dean’s office on the last Monday of September.

(b) The Sabbatical narrative should not exceed 10-12 double-spaced pages in length.

(c) System guidelines require a detailed listing or description of how the University will accom-
modate the faculty member’s absence. A letter from the Department Chair must describe how
the faculty member’s absence will affect course offerings and must be included as an attach-
ment to each copy of the proposal. However, a letter from the Department Chair that speaks
to the quality of the proposed activities is unnecessary and should not be submitted.

(d) A complete vita must be included as an attachment to each copy of the proposal.

(e) Each copy of the proposal must have a Faculty Development Program cover sheet.

(f) In addition, a brief vita (not to exceed one, double-spaced printed page) must be submitted
on a 3-1/2” disk as a Word Perfect/MS Word or ASCII file.

(g) Sabbatical proposals (8 copies) must be submitted to the Faculty Development Board
through the department chair (or equivalent) and the respective Dean/Unit Head.

(6) Auxiliary Support.
Limited auxiliary support for travel-related expenses only, e.g., transportation, lodging is available through the sabbatical program. A request for travel-related auxiliary support should be made as part of the sabbatical proposal. Preference for auxiliary support will be given to those faculty who leave campus for more than four consecutive weeks. Faculty meeting this criteria may apply for up to $200 per month for lodging and one round trip airfare (not to exceed $1000). Faculty who will not be away from campus for four consecutive weeks may apply for up to $1000 in travel support per semester if the travel is essential to achieving the sabbatical goals. Auxiliary support is not available for supplies or expenses or any expenses other than transportation and/or lodging.

(7) Selection.

The following guidelines govern the process for sabbatical leave:

(a) Proposals will be reviewed by the Faculty Development Board and recommended for support (in rank order of priority) to the Provost and Vice Chancellor. The Faculty Development Board uses the same criteria in evaluating one-semester and full-year proposals. The Faculty Development Board uses the following questions to serve as the basis for evaluating sabbatical proposals:

1. Have the sabbatical activities been described in detail? How will the sabbatical time be spent? What will the faculty member be doing? If the activities will be performed in collaboration with someone else, is it clear what this person’s qualifications are? (The Board is aware proposals for sabbaticals are written far in advance of the sabbatical itself. Nonetheless, as much detail as possible should be provided.)

2. What is the overall quality of the sabbatical activities? If off-campus activities are proposed, are they planned for high-quality institutions/organizations? How rigorous is any self-directed study which is planned by the proposer?

3. To what degree does the faculty member’s teaching/academic contributions while at the University merit a sabbatical leave? Have any awards for teaching or research excellence been received? Has the faculty member done any professional writing, made presentations, or conducted research?

4. Is the environment of the sabbatical clearly defined? Why was a specific location or learning environment chosen? What other locations were considered but not chosen?

5. Are the sabbatical activities clearly related to the faculty member’s responsibilities in teaching or research? What courses has the faculty member taught or will he/she be teaching? How does the sabbatical relate to these courses? How will the quality of instruction and/or research be enhanced?

6. Have the outcomes of the sabbatical been clearly defined? What will be learned? How will the faculty member’s professional development be enhanced? Will new course proposals be developed? How should the sabbatical be evaluated? On what basis should the Faculty Development Board assess the relative success of the sabbatical?

(b) The Provost and Vice Chancellor selects sabbatical recipients on 1) the basis of the Faculty Development Board’s recommendations; 2) recommendations from the respective Deans/Unit Heads, if requested; 3) the dollars available to support sabbaticals in a given year.

(c) Institutional selections for the faculty sabbatical program will be communicated in writing by the Chancellor to the Senior Vice President for Academic Affairs by November 15 of each year. This communication will contain:

1. a copy of the application materials for each faculty member awarded a sabbatical leave, including a description of the proposed sabbatical program and an updated professional vita;

2. a certification by the Chancellor or a designee that the eligibility requirements, compensation arrangements and related conditions of the appointment, and the guidelines for sabbatical award selection have been observed in the determination and granting of the awards.
(d) Formal announcement of those faculty members receiving sabbatical awards will be made annually at the December meeting of the Board of Regents.

(8) Final Report.

(a) A faculty member receiving a sabbatical leave must submit a written report detailing his/her accomplishments during the leave within three months after the project completion date.

(b) The report will be evaluated by the Faculty Development Board against the project objectives included in the approved sabbatical proposal. Since the leave was originally granted on the basis of those objectives, it is expected that project activities will be totally directed toward their accomplishment. In rare cases where a change in project objectives or activities is required, notice of such proposed changes must be reviewed by the Faculty Development Board and approved by the Provost and Vice Chancellor prior to the effective date of such changes. Failure to adhere to this guideline will result in an unsatisfactory evaluation of the completed sabbatical project.

(c) The report must include a section stating how the sabbatical experience contributed to the faculty member’s professional development.

(d) The Faculty Development Board will use its standard evaluation procedure and criteria in evaluating the final report.
Part B. Faculty Renewal and Nonrenewal.

FAC 4.B.0. Incorporation of College Personnel Materials.

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

FAC 4.B.1. UWS 3.06 (Renewal of Appointments and Granting Tenure) and 3.07(1)(a) (Renewal of Probationary Appointments, Rules and Procedures) of the Wisconsin Administrative Code, Rules of the Board of Regents.

UWS 3.06 Renewal of appointments and granting of tenure.

(1) Renewal of appointments and granting of tenure.

(a) General.

Appointments may be granted only upon the affirmative recommendation of the appropriate academic department, or its functional equivalent, and the Chancellor of an institution. When specified by the board, the institutional recommendation shall be transmitted by the president of the system with a recommendation to the board for action. Tenure appointments may be granted to any ranked faculty member who holds or will hold a half-time appointment or more. The proportion of time provided for in the appointment may not be diminished or increased without the mutual consent of the faculty member and the institution, unless the faculty member is dismissed for just cause, pursuant to s. 36.13 (5), Stats., or is terminated or laid off pursuant to s. 36.21, Stats.

(b) Criteria.

Decisions relating to renewal of appointments or recommending of tenure shall be made in accordance with institutional rules and procedures which shall require an evaluation of teaching, research, and professional and public service and contribution to the institution. The relative importance of these functions in the evaluation process shall be decided by departmental, school, college, and institutional faculties in accordance with the mission and needs of the particular institution and its component parts. Written criteria for these decisions shall be developed by the appropriate institutional faculty bodies. Written criteria shall provide that if any faculty member has been in probationary status for more than 7 years because of one or more of the reasons set forth in s. UWS 3.04 (2) or (3), the faculty member shall be evaluated as if he or she had been in probationary status for 7 years.

(c) Procedures.

The faculty and Chancellor of each institution, after consultation with appropriate students, shall establish rules governing the procedures for renewal or probationary appointments and for recommending tenure. These rules shall provide for written notice of the departmental review to the faculty member at least 20 days prior to the date of the departmental review, and an opportunity to present information on the faculty member’s behalf. The probationary faculty member shall be notified in writing within 20 days after each decision at each reviewing level. In the event that a decision is made resulting in nonrenewal, the procedures specified in s. UWS 3.07 shall be followed.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75; am. (1) (b), Register, February, 1994, No. 458, eff. 3-1-94; correction in (1) (a) made under s. 13.93 (2m) (b) 5, Stats., Register, February, 1994, No. 458.

UWS 3.07 Nonrenewal of probationary appointments.

(1) Nonrenewal of probationary appointments

(a) Rules and procedures.

The faculty and Chancellor of each institution, after consultation with appropriate students, shall establish rules and procedures for dealing with instances in which probationary faculty appointments are not renewed. These rules and procedures shall provide that, upon the timely written request of the faculty member concerned, the department or administrative officer
making the decision shall, within a reasonable time, give him or her written reasons for non-
renewal. Such reasons shall become a part of the personnel file of the individual. Further, the
rules and procedures shall provide for reconsideration of the initial nonrenewal decision upon
timely written request.

Forms to be used for renewal and tenure shall be prepared and distributed by the Provost and Vice Chan-
cellor’s Office. Prior to adoption of changes, the Provost shall consult with the Faculty Senate Executive
Committee (which retains the discretion to present any proposed changes to the Senate for review and
recommendation).

(1) A faculty member who is employed on a probationary appointment pursuant to section 36.13,
Wis. Stats., shall be given written notice of reappointment or nonreappointment for another acade-
mic year in advance of the expiration of his/her current appointment as follows:
(a) When the appointment expires at the end of an academic year, not later than March 1 of the
first academic year and not later than December 15 of the second consecutive academic year
of service;
(b) If the initial appointment expires during an academic year, at least three months prior to its
expiration; if a second consecutive appointment terminates during the academic year, at least
six months prior to its expiration;
(c) After two or more years of continuous service at the University of Wisconsin Oshkosh, such
notice shall be given at least twelve months before the expiration of the appointment.
(2) Proper Notice. Notice shall be given by sending duplicate copies of letters to the faculty member’s
University office as well as his or her last known home address (as on file with the Human Re-
sources Office). If the original letter of appointment stated that the contract was terminal and spe-
cified an ending date, no additional letter of non-reappointment is required.
(3) Failure to Provide Notice. If proper notice is not given in accordance with this section, the ag-
grieved faculty member shall be entitled to a one-year terminal appointment. Such appointments,
however, shall not result in achievement of tenure.

FAC 4.B.4. Renewal for Multiple Years.
Probationary faculty (whether hired under single-year or two-year initial appointments) may be considered
for renewal for subsequent two- or three-year terms, subject to the following conditions:
(1) Multiple-year renewals require the recommendation of the initial level of review and are subject to
review by successive levels (i.e., college Dean, and Provost and Vice Chancellor). The multiple-
year tenure track appointment sequence will ordinarily follow a 2-3-2 year appointment cycle at
the initiative of the department. After the initial two-year tenure track appointment, renewals ordi-
narily occur in the second and fourth years of service. The tenure decision takes place in the sixth
year.
(2) All recommendations for multi-year renewals will be accompanied by written rationale from all le-
vels of review that address the following factors:
(a) the credentials of the probationary employee;
(b) the candidate’s demonstrated effectiveness in teaching, scholarly activities and service; and
(c) a statement of the candidate’s expected performance during the renewal period.
(3) Tenure decisions require a separate affirmative decision based upon a comprehensive review of
the candidate’s record of teaching, scholarly activities, and service.
(4) Required fourth year review: In order to focus attention on the record of accomplishment and to
provide the probationary faculty with direction and sufficient time to demonstrate continued devel-
opment, all probationary faculty members must be given renewal consideration two years prior to
the expected tenure review.

(1) Decisions relating to renewal of appointments or recommending of tenure shall require an evaluation of the candidate’s contribution to the university in the areas of teaching, scholarly activities, and service. The relative importance of each function of the evaluation process shall be decided by department/equivalent and college faculties.

(2) Renewal and tenure criteria must exist for all initial levels and colleges.

(3) Renewal and tenure criteria are subject to periodic review.

(a) The purpose of such review is to assure that consensus exists among all participants in the renewal/tenure decision process as to the nature and rigor of the criteria as they are to be applied in future decisions. Reviews are intended to orient participants to a clear understanding of established criterion but need not lead to change.

(b) Renewal/tenure criteria are normally reviewed every five years or whenever participants in the renewal/tenure process deem it necessary.

1. The Chancellor, Provost and Vice Chancellor, Deans, college governance bodies, or initial levels may initiate a review of initial level criteria at any time they deem circumstances warrant.

2. The Chancellor, Provost and Vice Chancellor, Deans, or college governance body may initiate a review of college criteria at any time they deem circumstances warrant.

(4) Consistent with the practices of shared governance, changes in criteria require the agreement of all levels participating in the tenure and renewal process.

(a) Initial level criteria require the agreement of the initial level, college faculty, Dean, Provost and Vice Chancellor and Chancellor.

(b) College criteria require the agreement of the college faculty, Dean, Provost and Vice Chancellor and Chancellor.

(c) The procedure for agreement by college faculty shall be determined by each college’s by-laws.

(5) The degree and performance requirements for obtaining tenure will be no less than those set forth in FAC 5 for promotion to associate professor.

(6) The criteria in effect for any particular renewal/tenure decision are those criteria that were operational at the time that the probationary faculty member commenced his/her appointment as a tenure track probationary faculty member. Renewal/tenure criteria adopted subsequent to appointment will be applied when the probationary faculty member makes a written request to the initial level of review. This request must precede or accompany the submission of the renewal/tenure papers that are filed by the probationary faculty member.

(7) It is the responsibility of the Department Chairs to make sure that all faculty in their departments/equivalent are aware of these criteria.

(a) Each Department Chair will review the initial level, college, and university criteria currently in effect with probationary faculty at the onset of employment, and thereafter no less frequently than once per year.

(b) If the initial level, college, or university criteria are changed, the department chairs will immediately review the changes with all faculty in the department/equivalent.


(1) The evidence shall consist of the following items: The material submitted by the probationary faculty member, any other materials added by the initial level of review, the assessments and recommendations from the various levels of review, material from the initial appointment, and materials from any subsequent renewal consideration.

(a) Discussions of what constitutes teaching, scholarly activities, and service are set forth in this handbook.
1. The “Core of Academe” reprinted in FAC 1 of this handbook contains a discussion of the 
meanings of teaching, scholarly activity and service. The activities itemized in each of 
these areas are presented as a non-exhaustive listing of the types of activities that would 
be appropriate to include as evidence of accomplishment in these areas.

2. “Faculty Performance Review” (FAC 6 of this handbook) sets forth UW System and UW 
Oshkosh policy on student opinion surveys.

(b) In addition to submitting evidence of accomplishments, each candidate for renewal/tenure will 
prepare three personal statements summarizing her/his accomplishments in the areas of 
teaching, scholarly activities, and service.

(c) Relevant evidence includes the material submitted by the probationary faculty member, any 
other materials added by the initial level of review, the assessments and recommendations 
from the various levels of review, material from the initial appointment, and materials from any 
subsequent renewal consideration.

(d) Any level of review may request to see any or all of the original documents submitted to the 
initial level of review.

(e) The initial level of review shall retain all materials until the current renewal process is com-
plete, including any reconsideration or appeals procedures.

(2) Data on teaching ability, including student opinion surveys and faculty peer evaluations must be 
presented and included in folders for review at all levels.

(a) Colleges and departments have the responsibility (through the applicable bylaws) to establish 
policy pertaining to the acquisition and use of student opinions and faculty peer evaluations.

(b) “Peer evaluation,” as used in this section, may include such perspectives as evaluations by 
tenured or non-tenured members of the individual’s academic department, evaluations by 
University of Wisconsin Oshkosh faculty from outside of the individual’s academic depart-
ment, and/or evaluations by faculty from other institutions.

(c) Non-teaching faculty must present evaluations of performance of professional responsibilities 
directly related to the university appointment.

(d) Faculty whose responsibilities are primarily non-teaching but who also teach will be evaluated 
for classroom performance as well.

(3) Evidence presented to support scholarly activities shall be presented to the initial level of review 
for its critical review and thorough evaluation.

(a) Candidates for renewal/tenure should include in their folders for initial level review copies of 
materials and evidence related to scholarly activities. Before forwarding the folders, the initial 
reviewing level will prepare a written statement which clearly assesses the quality and quanti-
ty of such work and include it in the candidate’s folder.

(b) Folders forwarded from the initial level of review should not contain complete copies of doc-
uments and materials related to scholarly activities, such as books, journals, tapes, slides, 
etc. The completed form should list these accomplishments together with assessment state-
mements made by committees and offices at each reviewing stage in the process.

(4) Information on service activities shall be presented in the folders for review at all levels.

(5) If a clarification is needed, or if more material becomes available during the review at the initial 
level of review, the probationary faculty member may submit additional evidence to the renewal 
folder, up to the time the decision is made by the initial level of review.

(6) The initial level may add additional evidence relevant to the candidate’s performance, subject to 
the following:

(a) The evidence incorporated must be deemed relevant by majority vote of the initial level.

(b) The candidate is informed of the inclusion of the additional information and is immediately 
given a copy of the additional evidence. Prior to the decision being made by the initial level of 
review, the candidate may ask that the added information be removed from the folder. If the
committee does not agree with the candidate’s request, or if action is taken before such a request is presented, the candidate shall be afforded an opportunity to append a statement to the added material that shall become a part of the file and thereby accompany the material through the subsequent steps in the review process.


(1) Each probationary faculty member will be informed in writing by the department chairperson (or equivalent) at least twenty calendar days prior to the date the initial recommendation on renewal/nonrenewal will take place. The individual being reviewed will be informed by the department chairperson (or equivalent) that he/she may include such written information in the review folder as he/she feels is appropriate and germane to the review. The probationary faculty member shall prepare the renewal forms and supply materials for the review; all materials must be submitted at least five calendar days prior to the scheduled review.

(2) Procedures for the review of faculty who are assigned to more than one department or unit shall be initiated by the department or unit in which the faculty member’s assignment is greatest. Recommendations will be forwarded through the college or division in which the assignment is greatest and must bear endorsements and/or signed comments by appropriate supervisors in other units who have administrative responsibilities for the faculty member.

(3) In the event the assignment is divided evenly between two or more departments or units or the assignment fluctuates, the faculty member shall decide which unit shall originate the recommendation. The faculty member shall communicate that decision, in writing, to all units and supervisors involved in the process.

(4) Each reviewing level shall inform the faculty member, in writing, as soon as possible but no later than seven calendar days of making its recommendation regarding renewal/nonrenewal and remind the faculty member it is a recommendation, except in cases where the initial level of review decides to nonrenew the appointment.

   (a) Each level shall provide the faculty member with written reasons for its recommendation or decision.

   (b) When the initial level of review recommends nonrenewal, the nonrenewal vote has the force of a final decision to nonrenewal, subject to the opportunity for reconsideration and appeal.

   (c) No comments, annotations or markings should be placed on the credentials and materials as submitted by the probationary faculty member.

(5) The renewal/nonrenewal review process for colleges with departments requires action by the department and, if the vote is for renewal, subsequent actions by the college committee, Dean, Provost and Vice Chancellor, and Chancellor.

(6) In colleges without departments, the faculty will be responsible for deciding if a review process prior to the college committee is desirable; the faculty shall have the authority for implementation. Such authority must be incorporated into the college by-laws. The college by-laws must clearly indicate whether the review level prior to the college committee is only advisory or whether it is the functional equivalent of the department committee and hence the initial level of review. The renewal/nonrenewal process shall be analogous to that followed for colleges with departments, with the inclusion of a review level prior to the college committee (if so decided) or with the college committee serving as the initial review level and hence serving as the functional equivalent of the department.

(7) Faculty in non-college units will be evaluated by the initial level of review and, if the vote is for renewal, the director or equivalent (if tenured), the appropriate assistant Vice Chancellor or Vice Chancellor, the Provost and Vice Chancellor, and the Chancellor.


(1) Responsibilities of Individuals. All persons participating in the process of reviewing credentials and making decisions or recommendations pertaining to renewal/tenure are expected to use professional judgment. Deans, the Provost and Vice Chancellor, and the Chancellor participate in the personnel process by virtue of the positions they hold. When acting in these capacities, these in-
individuals are expected to articulate clearly the rationale for all decisions or recommendations and provide an analytical written critical evaluation of the probationary faculty member’s performance. Each individual who participates in the personnel process shall also meet the following enumerated requirements:

(a) To act consistently with the University’s applicable personnel policies and procedures.

(b) To fairly apply department, college and University criteria for renewal/tenure.

(c) To be cognizant of principles and practices of nondiscrimination, including affirmative action and commitment to equal employment opportunity.

(d) To conduct a thorough and complete review of the probationary faculty member’s qualifications for renewal/tenure.

1. This review is to include a careful examination of all information submitted by the probationary faculty member for review, and attentive consideration of the recommendations and supporting rationale of any previous levels of review.

(e) To participate in the deliberative process of the committee’s review and consideration of the probationary faculty member’s qualifications for renewal/tenure, in light of department, college and University criteria.

1. Participation refers to working diligently and collegially with other committee members. It includes active involvement in the committee’s dialogue, including the expression of one’s personal views or interpretations, prior to voting, when they differ from those previously expressed by other members of the committee.

2. Participation also includes insistence that the committee’s deliberation be thorough, fair, balanced, non-discriminatory, and rationally-related to the information presented for review. This is demonstrated by being aware of the committee’s responsibilities and, if problems are perceived, speaking up before the committee’s vote. Participation includes: (a) the exercise of individual and collective responsibility to ensure that the committee’s action is based on the information considered during the committee’s meeting, and (b) the insistence that the statement of rationale for the committee’s action be based on the committee’s deliberations.

3. It is expected that participation, as outlined in this section, will lead individuals to the point where they are able to exercise independent professional judgment on the question of the renewal or nonrenewal of an appointment. Since an abstention is the equivalent of not voting on this question, it is expected that abstentions will be relatively rare.

(2) Responsibilities of Committees.

(a) For the initial level of review, to inform the probationary faculty member of the timeline for the review of his or her qualifications for renewal/tenure and to ask the probationary faculty member to submit materials to be reviewed by the committee.

(b) To provide proper notice of committee meetings (to satisfy the requirements of the Wisconsin Open Meeting Law) and to ensure its actions are consistent with applicable personnel rules.

1. Committees should anticipate scheduling additional meetings, as necessary, to complete a thorough and thoughtful review of each candidate.

(c) To ensure that all committee recommendations or decisions pertaining to renewal or tenure of the probationary faculty shall be made on the basis of a motion that is carried by a majority vote of those present and not abstaining.

1. The vote of each member on the renewal or tenure recommendation must be ascertained and recorded by name in the committee’s minutes.

2. No absentee or proxy voting is allowed.

3. Ideally, all committee members will be physically present for the committee’s deliberations. In exceptional cases, by majority vote of the committee members present, absent committee members may be considered present and eligible to vote by means of tele-
The committee shall include all tenured members of the department, including the department chair, if tenured. An individual participating in the departmental review is disqualified from subsequently participating as a member of the college renewal and tenure committee when the committee reviews the credentials of the candidate from the same department.

(2) If there are no tenured faculty in the department, the college renewal and tenure committee shall be the functional equivalent of the initial level of review.

(3) Subject to the requirement that all initial levels of review be comprised of no fewer than three persons, each college may establish rules for the constituency of the initial level of review. Unless the college’s policies (approved by the college faculty, the Faculty Senate and the Chancellor) establish another framework, the following conditions shall pertain to the initial level of review:

(a) If there is only one tenured faculty member in the department deliberating and voting, he or she shall be joined by the college renewal and tenure committee for the purpose of acting as the initial level of review, subject to the following considerations: (1) the member of the de-
partment is entitled to one vote; and (2) the members of the college committee shall, in total, have two votes, with the vote of each individual member weighted to equal a proportionate share based on the number of college committee members participating (e.g., if there are seven members of the college committee, each participating individual shall be entitled to a 2/7th vote).

(b) If there are two tenured faculty members in the department deliberating and voting, they shall be joined by the college renewal and tenure committee for the purpose of acting as the initial level of review, subject to the following considerations: (1) each member of the department is entitled to one vote; and (2) the members of the college committee shall, in total, have one vote, with the vote of each individual member weighted to equal a proportionate share based on the number of college committee members participating (e.g., if there are seven members of the college committee, each participating individual shall be entitled to a 1/7th vote).

(4) If the college renewal and tenure committee participates in the initial level of review, it does not subsequently act as the second level of review. The chair of the college renewal and tenure committee shall serve as the chair of this ad hoc committee.

FAC 4.B.10. Additional Considerations.

(1) All committee meetings shall be held in accordance with Open Meetings Law, section 19.81 of the Wisconsin Statutes.

(2) The initial level of review and the Chancellor make decisions on renewal and tenure considerations. All other levels of review make recommendations.

(3) All renewal/tenure materials shall be reviewed at successively higher levels as follows:

(a) Initial Level of Review.

1. Tenured members of the initial level of review shall carefully review evidence. The votes and specific reasons shall be recorded on the form provided by the Provost and Vice Chancellor's Office. Copies of the form, including the recommendation and rationale, shall be provided to the candidate for review as soon as possible, but in any case no later than three working days after the materials are completed.

2. Evidence presented to support professional and scholarly growth and service will be evaluated primarily at the departmental or initial level of review.

3. The materials under consideration shall then be forwarded (a) to the college committee if the vote is for renewal, or (b) directly to the Provost and Vice Chancellor if the vote is for nonrenewal. If the vote is for nonrenewal, the review process will end and the Provost and Vice Chancellor shall inform the Chancellor of the nonrenewal decision.

(b) College Committee.

The college committee shall consist of elected tenured members of the college (exclusive of those holding limited appointment as Assistant Deans and above) and an affirmative action representative (non-voting) designated by the University Director of Equity and Affirmative Action. The committee shall vote to recommend renewal or nonrenewal, record the vote and specific reasons on the form provided and forward the materials to the Dean. Members of such committees shall not participate in the vote or discussion of a faculty candidate with other members if they have already had the opportunity to do so at the initial level. If the college committee is the initial level of review, copies of the form, including the recommendation and rationale, shall be provided to the candidate for review as soon as possible, but in any case no later than three working days after the materials are completed. The materials shall then be forwarded to the Dean.

(c) College Dean.

The Dean shall record his/her recommendation for renewal or nonrenewal together with the specific reasons and forward the materials to the Provost and Vice Chancellor.

(d) Provost and Vice Chancellor.
The Provost and Vice Chancellor shall recommend on renewal for all probationary faculty who have the positive support of the initial level of review. The Provost and Vice Chancellor shall record the recommendation together with the specific reasons. If the recommendation is for nonrenewal, a reconsideration and appeal process will ensue, if requested by the probationary faculty member. In the case of an appeal of the recommendation of the Provost and Vice Chancellor, the Chancellor shall be called upon to receive and consider the report of the Faculty Senate Hearing Subcommittee before making a decision on that report.

(e) Chancellor.

The Chancellor will decide on renewal/nonrenewal for all probationary faculty who have the positive support of the initial level of review and the Provost and Vice Chancellor. The Chancellor will also decide on renewal/tenure for all who appeal a negative recommendation of the Provost and Vice Chancellor. The faculty member shall have the right to reconsideration and appeal, as provided in these rules.

(4) The Chancellor shall inform all probationary faculty, in writing, of renewal or nonrenewal by the appropriate date. Upon written request by the faculty member, written reasons for nonrenewal will be provided by the Chancellor as provided in the procedures for reconsideration.

(5) Limited Appointments. Individuals serving in limited appointments who also hold concurrent faculty appointments and who teach half-time or more shall be acted on for renewal/nonrenewal by all supervisors, the Provost and Vice Chancellor, and Chancellor for the non-teaching assignment. The teaching portion of the assignment, if half-time or more, shall be subject to the review process found above. Tenure decisions will be made using the regular procedures.

(6) When the initial level of review has determined that renewal or tenure should be granted, the Chancellor’s decision to deny renewal or tenure is subject to the campus-based reconsideration and appeals process.
Part C. Reconsideration of Nonrenewals or Denials of Tenure.


UWS 3.07 Nonrenewal of probationary appointments.

(1) Nonrenewal of probationary appointments.

(b) Reconsideration.

The purpose of reconsideration of a nonrenewal decision shall be to provide an opportunity to a fair and full reconsideration of the nonrenewal decision, and to ensure that all relevant material is considered.

1. Such reconsideration shall be undertaken by the individual or body making the nonrenewal decision and shall include, but not be limited to, adequate notice of the time of reconsideration of the decision, an opportunity to respond to the written reasons and to present any written or oral evidence or arguments relevant to the decision, and written notification of the decision resulting from the reconsideration.

2. Reconsideration is not a hearing or an appeal, and shall be nonadversary in nature.

3. In the event that a reconsideration affirms the nonrenewal decision, the procedures specified in s. UWS 3.08 shall be followed.

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


(1) Request for reasons. Within ten calendar days of receiving notice of nonrenewal from the initial level of review, the Provost and Vice Chancellor or the Chancellor, a faculty member may request written reasons for the nonrenewal from the level that made the nonrenewal decision (initial level of review, Provost or Chancellor). The reasons shall refer specifically to the unit, college, and university criteria which were not met. Such reasons shall be provided within ten calendar days of the receipt of the request and shall become part of the faculty member’s personnel file.

(2) Reconsideration levels.

(a) Initial level of review. If the nonrenewal decision has been made by the initial level of review, the faculty member shall have twenty calendar days from receipt of the nonrenewal notice or ten calendar days from receipt of the written reasons for the decision (if requested) to request reconsideration. The request shall include reasons the faculty member feels reconsideration is warranted, including responses to the reasons given by the initial level of review for nonrenewal if reasons were requested. A copy of the request should be filed with the Office of the Provost and Vice Chancellor. After receiving a request for reconsideration, the chair of the initial level of review will consult with the faculty member to schedule reconsideration proceedings as soon as it is practical to do so.

(b) Provost and Vice Chancellor. If the nonrenewal decision has been made by the Provost and Vice Chancellor, the faculty member shall have twenty calendar days from receipt of the nonrenewal notice or ten calendar days from receipt of the written reasons for the decision (if requested) to request reconsideration. The request shall include reasons the faculty member feels reconsideration is warranted, including responses to the reasons given by the Provost for nonrenewal if reasons were requested. After receiving a request for reconsideration, the Provost will consult with the faculty member to schedule reconsideration proceedings as soon as it is practical to do so.

(c) Chancellor. If the nonrenewal decision has been made by the Chancellor, the faculty member shall have twenty calendar days from receipt of the nonrenewal notice or ten calendar days from receipt of the written reasons for the decision (if requested) to request reconsideration. The request shall include reasons the faculty member feels reconsideration is warranted, including responses to the reasons given by the Chancellor for nonrenewal if reasons were requested. After receiving a request for reconsideration, the Chancellor will consult with the faculty member to schedule reconsideration proceedings as soon as it is practical to do so.

(1) Reconsideration by the initial level of review or the administrative officer shall be completed and the faculty member informed in writing of the decision within twenty calendar days after the initial reconsideration meeting. This period can be extended upon mutual consent of the faculty member and the initial level of review or administrative officer if extenuating circumstances exist.

(2) The faculty member requesting reconsideration shall have the right to be counseled and/or represented by any person(s) of choice. [In cases where there are multiple counselors/representatives, the convening party (whether the initial level of review, the Provost and Vice Chancellor, or the Chancellor) may restrict discussion of each major issue to a single counselor. Determination whether more than one counselor/representative should address an issue should be a procedural and unappealable determination of the committee or administrative officer.]

(3) Reconsideration meetings shall be properly noticed and conducted as a closed session deliberation (as provided under state statute) unless the faculty member being reconsidered requests that the meeting be held in open session. Members of the public attending an open meeting shall not have the right to participate in the proceedings. An affirmative action representative shall attend and monitor the reconsideration meeting.

(4) The faculty member requesting reconsideration shall be given the opportunity to present his/her statements in writing prior to the initial meeting. The faculty member requesting reconsideration shall also be invited to appear before the initial level of review or administrative officer to present further oral evidence germane to the decision.

(5) The initial level of review or administrative officer deciding on reconsideration as well as the faculty member involved shall have access to all documents used to make the nonrenewal decision.

(6) Tape recordings shall be made of all reconsideration meetings, with copies available at no cost to the faculty member. The Provost and Vice Chancellor’s Office shall keep this recording along with other documents pertaining to the proceedings.

(7) The Chairperson of the initial level of review or the administrative officer deciding on reconsideration shall prepare a report that identifies the time, date, and location of the meeting, along with an identification of those present at the meeting. This report shall identify the evidence that was reviewed and considered. The report shall also include a written decision on the request for reconsideration of the decision as well as the rationale in support of that decision. Copies of this report shall be filed with all concerned parties, including, the faculty member, the initial level of review, the Dean, the Provost and Vice Chancellor, the Executive Committee of the Faculty Senate, and the Chancellor.

(8) If reconsideration affirms the original decision, that reconsideration process ends; the faculty member requesting reconsideration has the right to appeal under the provisions of the FAC 4, Part D, titled “Appeals of Nonrenewals or Denials of Tenure”.

(9) If reconsideration causes the initial level of review or the Provost and Vice Chancellor to change their decision or recommendation, the prior decision or recommendation is rescinded, and the recommendation in favor of renewal or tenure shall be advanced through the decision-making process. In these instances, each review level shall take action on the matter as soon as possible after receiving the file so as to restore the normal decision-making timeline. All of the provisions for action and consequences of renewal and nonrenewal decisions shall be as if a nonrenewal decision had not taken place.

(10) The Provost and Vice Chancellor shall be the custodian of the minutes and reports of all initial levels of review and administrative officers involved in the reconsideration process. All documents shall be kept in a file, separate from the personnel files. The faculty member shall have access to review the contents of this file and may request copies of any documents or materials.
Part D. Appeals of Nonrenewals or Denials of Tenure.

FAC 4.D.1. UWS 3.08 {Appeal of a Nonrenewal Decision} of the Wisconsin Administrative Code, Rules of the Board of Regents.

UWS 3.08 Appeal of a nonrenewal decision.

(1) The faculty and Chancellor of each institution, after consultation with appropriate students, shall establish rules and procedures for the appeal of a nonrenewal decision. Such rules and procedures shall provide for the review of a nonrenewal decision by an appropriate standing faculty committee upon written appeal by the faculty member concerned within 20 days of notice that the reconsideration has affirmed the nonrenewal decision (25 days if notice is by first class mail and publication). Such review shall be held not later than 20 days after the request, except that this time limit may be enlarged by mutual consent of the parties, or by order of the review committee. The faculty member shall be given at least 10 days notice of such review. The burden of proof in such an appeal shall be on the faculty member, and the scope of the review shall be limited to the question of whether the decision was based in any significant degree upon one or more of the following factors, with material prejudice to the individual:

(a) Conduct, expressions, or beliefs which are constitutionally protected, or protected by the principles of academic freedom, or

(b) Factors proscribed by applicable state or federal law regarding fair employment practices, 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 faculty member in question if material prejudice resulted because of any of the following:

1. The procedures required by rules of the faculty or board 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.

(2) The appeals committee shall report on the validity of the appeal to the body or official making the nonrenewal decision and to the appropriate dean and the Chancellor.

(3) Such a report may include remedies which may, without limitation because of enumeration, take the form of a reconsideration by the decision maker, a reconsideration by the decision maker under instructions from the committee, or a recommendation to the next higher appointing level. Cases shall be remanded for reconsideration by the decision maker in all instances unless the appeals committee specifically finds that such a remand would serve no useful purpose. The appeals committee shall retain jurisdiction during the pendency of any reconsideration. The decision of the Chancellor will be final on such matters.

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


(1) If a reconsideration process results in affirmation of the nonrenewal decision, the faculty member may appeal that decision in writing to the chairperson of the Faculty Hearing Committee, through the president of the Faculty Senate, within twenty calendar days (twenty-five days if notice is by first class mail and publication) after the date of the document informing the faculty member of the decision. The chairperson of the Faculty Senate Hearing Committee will form a hearing subcommittee. The chairperson also has the responsibility to brief the Subcommittee on the rules and procedures applicable to the review, prior to the start of the Subcommittee’s deliberations.

(2) The hearing subcommittee shall begin its review of the appeal within twenty calendar days after receiving the notice for appeal, unless extended by mutual consent of the parties or by order of the hearing subcommittee. The subcommittee chairperson shall notify the faculty member making the appeal at least ten calendar days in advance of the beginning of the review. The subcommittee shall complete its review not later than thirty calendar days after its first meeting unless extended by mutual consent of the parties or by order of the review subcommittee.
(3) Appeals shall be submitted in writing and include documentation supporting the contention that
the decision was based on factors listed in section UWS 3.08(1)(a), (b), or (c). After reviewing the
written material filed with the appeal, if the subcommittee determines that there is a basis to hold
a hearing on that matter, the subcommittee shall approve a motion to hold a hearing consistent
with the established Faculty Senate Hearing procedures. Alternatively, if the subcommittee does
not vote to conduct a hearing, it shall approve a motion denying the further review of the appeal.
Copies of the subcommittee’s actions shall be sent to all concerned parties, including, the faculty
member, the initial level of review, the Dean, the Provost and Vice Chancellor, the Executive
Committee of the Faculty Senate, and the Chancellor.

(4) If a hearing is held, the decision maker shall appear before the subcommittee to offer testimony
about the nature of the consideration and the decision that was made.

(5) During its consideration of the appeal, the hearing subcommittee shall remand the case for re-
consideration, with instructions, to the review level deciding nonrenewal unless the hearing sub-
committee specifically finds that such a remand would serve no useful purpose. The hearing sub-
committee shall retain jurisdiction pending any such reconsideration. If the subcommittee finds a
remand would serve no useful purpose, the reasons for this finding must be included in the sub-
committee’s final report.

(6) Within ten days after the completion of the hearing the subcommittee shall complete its findings
and recommendation. The report of the subcommittee may reject the appeal, or include remedies
which may, without limitation because of enumeration, take the form of a reconsideration by the
decision maker, a reconsideration by the decision maker under restrictions from the committee, or
a recommendation to the next higher appointing level. Once made, the subcommittee’s report
shall be simultaneously sent to all concerned parties, including, the faculty member, the initial lev-
el of review, the Dean, the Provost and Vice Chancellor, the Executive Committee of the Faculty
Senate, and the Chancellor.

(7) The Chancellor shall act on the recommendation of the hearing subcommittee within twenty ca-
calendar days of receiving the subcommittee’s report.

(8) Notestein Provisions. This section applies to those appeals of denials of tenure that originated in
an academic department (or its functional equivalent). After following the procedures listed in this
chapter (i.e., after the matter has been remanded for reconsideration – with or without restrictions
-- or after making a finding that such a remand would serve no useful purpose), if the hearing
subcommittee finds that the nonrenewal continues to be based on impermissible factors (as listed
under UWS 3.08(1), the following procedures shall apply:

(a) The report of the faculty hearing subcommittee to the Chancellor must include a specific find-
ing that one or more impermissible factors were considered by the academic department (or
functional equivalent) in reviewing the credentials and in forming the recommendation that
denied tenure.

1. The report shall also list, identify and discuss the specific impermissible factor(s), as
found by the subcommittee.

2. On the basis of these findings, the subcommittees report shall also recommend to the
Chancellor the formation (as set forth below) of an ad hoc committee to make a recom-
mendation on tenure as a substitute for the recommendation originally offered by the de-
partment (or equivalent).

3. Recognizing the importance of resolving any pending appeal, the Chancellor and the in-
volved faculty are properly expected to devote the time required to bring this further re-
view to an expeditious resolution.

(b) The Chancellor shall approve all recommendations from faculty hearing subcommittees to
form an ad hoc committee. In these instances, the Chancellor shall also inform the probatio-
nary faculty member of the specific actions that are to follow as provided under these rules.

(c) Upon receiving copies of the Chancellor’s action on the report of the subcommittee, the Fa-
culty Senate Executive Committee will meet with the Provost and Vice Chancellor to appoint
an ad hoc committee and chair, consisting of five members, to independently review the credentials of the concerned faculty member.

1. Members of the ad hoc committee may be appointed from within or outside the University (or a combination of both) with the stipulation (required under section 36.13(2)(b)3., stats.) that no person shall be appointed to the committee who is a member of the academic department or its functional equivalent that made the initial negative recommendation.

2. The committee shall consist of persons knowledgeable or experienced in the faculty member’s academic field or in a substantially similar academic field (also per section 36.13(2)(b)3., stats.).

3. The committee and chair shall receive a formal letter of appointment from the Provost and Vice Chancellor within 20 working days after the Provost and Vice Chancellor receives the subcommittee report, unless this time is extended for cause by the order of the Provost and Vice Chancellor.

(d) The ad hoc committee shall review the original tenure form, or, at the choice of the probationary faculty member, a revised form with all additions or comments on the original form removed. This provision does not extend, change, or modify the original probationary period in that performance data beyond that the time of the decision of the initial level of review shall not be considered or allowed. The ad hoc committee shall use the criteria for tenure as published by the University and other levels of review.

1. The ad hoc committee shall not base its tenure recommendation upon impermissible factors, as defined by UWS 3.08(1).

2. Within twenty working days after appointment, unless the time is extended for cause by order of the Provost and Vice Chancellor, the ad hoc committee shall send its recommendation concerning tenure for the concerned faculty member to the following individuals and offices: (a) the chair of the faculty hearing subcommittee, (b) the chair of the committee that made the initial nonrenewal decision, (c) the appropriate Dean or Vice Chancellor, (d) the President of the Faculty Senate, (e) the Provost and Vice Chancellor, and (f) the Chancellor.

(e) 1. If the ad hoc committee recommends the denial of tenure, the Chancellor will inform the faculty member of that decision to deny tenure. In this instance, the faculty member will be afforded an opportunity to request the reasons for the decision, and to pursue reconsideration of the decision through discussions with the ad hoc committee in a manner consistent with the general framework set forth in these rules. If the faculty member is dissatisfied with the results of the reconsideration by the ad hoc committee, they shall be afforded an opportunity to petition for further review of the decision by a second faculty hearing subcommittee formed in a manner consistent with these rules. In the event that such a request is filed, it shall be governed by the general principles set forth above, as they may be modified by agreement of the Chancellor and the Faculty Senate Executive Committee to meet and balance any unique or particular needs required due to the timing of this petition for review.

2. If the ad hoc committee recommends that tenure be granted, that recommendation shall have the force and status of the initial recommendation from the department or equivalent unit, and it should be forwarded to the other levels of review, as provided in the faculty renewal process. The only modification to the applicable rules is that the time line for each level of action shall be fifteen calendar days, unless the time is extended for cause by order of the Provost and Vice Chancellor.

If the Chancellor decides to recommend a grant of tenure, the Chancellor shall include in his or her written recommendation to the President of the University of Wisconsin System a summary of the original findings of impermissible factors and a specific notation that the recommendation for tenure was made by the ad hoc committee acting as a substitute for the department (or equivalent).
Part E. Faculty Tenure.

FAC 4.E.0. Incorporation of College Personnel Materials.

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


Tenure decisions for faculty are made at the end of the sixth year of service or five and one-half years of service for those who either began at the start of a spring semester or who had an odd number of semester leaves of absence.


(1) A tenure decision shall be made for all probationary faculty who are not on terminal appointment according to the schedule listed below:

(a) For faculty holding a full time probationary appointment, the decision shall be made by the end of the Spring Semester of the sixth year of service.

(b) For faculty holding a probationary appointment of at least three-quarters time but less than full-time, the decision shall be made by the end of the Spring Semester of the ninth year of service.

(c) For faculty holding a probationary appointment of at least half-time but less than three-quarters time, the decision shall be made by the end of the Spring Semester of the thirteenth year of service.

(2) The same review process as listed for renewal of probationary faculty shall be followed for recommending tenure, with the additional requirement that each reviewing level include a statement addressing the following factors:

(a) Teaching: based on the review of the candidate’s performance as documented in the credentials under review, that the candidate has established a record of teaching effectiveness that enables the reviewer to believe the candidate will make a significant contribution to the future growth and development of the University.

(b) Scholarly Activities: based on the review of the candidate’s performance as documented in the credentials under review, that the candidate has established a record of appropriate scholarly activities that enables the reviewer to believe the candidate will make a significant contribution to the future growth and development of the University.

(c) Service: based on the review of the candidate’s performance as documented in the credentials under review, that the candidate has established a record of appropriate service that enables the reviewer to believe the candidate will make a significant contribution to the future growth and development of the University.


(1) Faculty members who have been credited by UW Oshkosh with a total of five or more years of full time experience in the rank of instructor, assistant professor, associate professor, or professor at UW Oshkosh and/or at a comparable academic institution prior to their appointment at UW Oshkosh may request consideration for early tenure as provided below.

(a) Faculty must be in the rank of associate professor or professor to request early tenure consideration and must evidence exceptional achievement in teaching, scholarly activities, and service.

(b) Faculty wishing to apply for an early tenure decision must inform their department chairperson or equivalent, in writing, at the time they are notified that they will be evaluated for renewal/non-renewal, or earlier. Faculty whose requests for early tenure are denied may not be considered again for early tenure. A denial of early tenure shall not prejudice action on tenure at the completion of the usual probationary period. The Provost and Vice Chancellor’s Office should be consulted to determine if the years of experience criterion is met.

Faculty with outstanding credentials may be granted tenure at the time of the initial appointment. Such a tenure appointment will require affirmative recommendations by the initial level of review and the Chancellor. The form used for initial appointment and tenure as well as all evidence required for making a tenure decision must accompany such a recommendation. The recommendation of the department should be reviewed by the college tenure review committee if there is one, Dean, Provost and Vice Chancellor, Chancellor, and approved by the Board of Regents.
Faculty Chapter Five
Faculty Promotion

FAC 5.0. Incorporation of College Personnel Materials.

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


The promotion policy which is stated here applies to all persons with faculty rank, both teaching and non-teaching. The criteria set forth minimum levels of experience, preparation, and performance. Possession of the minimum requirements may not necessarily lead to recommendation and/or promotion. Possession of minimum requirements should be viewed by all participants in the promotion process merely as a qualifying basis for defining candidacy for promotion. Positive recommendations should be made only for those candidates who show evidence of contributions to raising the quality of education and service offered by the University.

Throughout this document “initial level of review” is used to refer to “program cluster,” “program,” “interest area,” “department,” or other unit which is agreed upon by the faculty of the college or non-collegiate unit and the Dean or equivalent administrative officer and is consistent with the bylaws which are applicable to the college or non-collegiate unit as the appropriate body to be first in considering any promotion.

The candidate in preparing his/her papers should stress facts with supporting evidence of these facts. (Editorial comment and evaluation of facts is the responsibility of the reviewing levels.) The candidate should clearly indicate which duties that are listed are part of his/her assigned job and which are really extra effort.

The faculty member has the right to withdraw his/her papers from the review at any time in the process by stating in writing to her/his Dean that further consideration of the promotion papers is to stop.

After the promotion process has been completed, the faculty member will be given upon written request to the Chancellor a copy of all "reasons for action" and "summaries and evaluations" which were added to his/her papers during the review and decision process.


This section applies only to faculty whose tenure was approved upon or after September 5, 1997. As a general rule, faculty who have not already attained the rank of Associate Professor will be promoted to that rank with the approval of tenure (as prescribed in Chapter 4).

(1) Faculty members will be promoted to the rank of Associate Professor at the time tenure is approved by the Board of Regents, or as soon as possible thereafter providing that they meet the appropriate degree, time in rank, and experience criteria.

(2) Faculty members whose tenure is approved but who did not meet the degree, time in rank, or experience criteria for Associate Professor at the time tenure was approved will be promoted to that rank as soon as possible after they meet those criteria.

(3) For subsections (1) and (2), immediately above, the process for implementing these promotions shall be by administrative action of the Offices of the Provost and Vice Chancellor and the Chancellor.

(4) Individuals cannot apply separately for promotion to Associate Professor during the academic year of their tenure decision.

(5) Candidates should carefully review the criteria for both tenure and promotion since the information submitted for tenure consideration also serves as the material under review for promotion to Associate Professor.

(6) Prior to its review of the tenure and promotion application, the initial level of review will ascertain whether the candidate has satisfied the degree, time in rank and experience criteria for promotion to Associate Professor. This determination shall be verified by the Office of the Provost and Vice Chancellor, based upon a review of the individual’s official personnel file.

(7) All simultaneous tenure and promotion applications will be reviewed and considered through the regular renewal process, as prescribed in Chapter 4.

(8) The effective date for all promotions will be the time of formal approval by the Board of Regents of the University of Wisconsin System.
Part B. Criteria and Evidence.


Each candidate has the responsibility to prepare the proper forms and to submit evidence for the granting of promotion. (Forms are available in the office of the deans and the Provost and Vice Chancellor) All assertions concerning teaching, scholarship, or service must be documented. Data which concerns highest degree earned, years of experience, and years in rank must agree with official University records -- these may be verified by the head of the initial level of review.

Evidence which is submitted by candidates for promotion should be as specific and detailed as possible. Candidates should submit all pertinent evidence with comprehensive documentation since the last promotion. Material should be arranged in chronological order. Whenever possible, the material should be summarized. Original copies of teaching evaluations, publication, or other voluminous or bulky materials should be submitted to the initial level of review as appendices to the promotion form but should not be ordinarily transmitted to the next level of review. Candidates may submit evidence of writings which have not been published as evidence of professional and scholarly growth. (These should be clearly labeled and the initial level of review should carefully evaluate such writing.) The next level of review should receive complete summaries and evaluations of such materials and they, as well as other review levels in the promotion process, may review the original documentation upon request to the head of the initial level of review. Candidates should provide information which would make each activity or reference meaningful (i.e., candidates are encouraged to define the importance of each activity or reference). Materials and/or additional information may not be added to the promotion folder after the initial level of review.

Each review level should expect differences of performance for each rank to which candidates may be aspiring. (For example, teaching effectiveness which is expected in order to be promoted to professor should be higher than that which is expected to be promoted to assistant professor.) Levels of review shall not use criteria which are not specified by the promotions document or other university regulations.


FAC 5.B.2. Degree, Experience, Time in Rank (General).

[For experience and time in rank requirements, do not count the present year.]

(1) Instructor.

Degree: Master's.

Experience: No minimum.

Time in Rank: No minimum.

(2) Assistant Professor.

Degree: Doctorate. [Faculty who acquire the doctorate will be automatically promoted to this rank if official notice that the degree has been granted is submitted to the Provost and Vice Chancellor's Office by January 1. Rank will become effective as of the following July 1.]

Other Degree Options: In some areas a two-year advanced degree beyond the master level will be considered. In some instances thirty (30) semester hours of work beyond a master degree or all course work and residence requirements for a doctorate plus commitment to the terminal degree will also be considered. These options will require regular promotion procedures.

Experience: With a doctorate, no minimum. For other candidates, four years including at least one year of college teaching.
Time in Rank: With a doctorate, no minimum. For other candidates, one year as an instructor at this university.

(3) Associate Professor.

Degree: Doctorate.
Experience: A minimum of five years of college teaching.
Time in Rank: A minimum of two years as an Assistant Professor at this university.

(4) Professor.

Degree: Doctorate.
Experience: A minimum of ten years.
Time in Rank: A minimum of four years as an Associate Professor at this university.
Evidence: The immediate supervisor shall document that data is consistent with university records and that evidence on degree completion is on file in the Provost and Vice Chancellor’s Office.

FAC 5.B.3. Teaching Effectiveness.

Consistent with the mission of this university, the most important criterion is teaching effectiveness which is a necessary, but not sufficient, basis for promotion. Under most circumstances only individuals demonstrating effective teaching should receive favorable consideration for promotion. An exception to this criterion would be an unusual circumstance in which an individual whose teaching ability is only satisfactory would be recommended for promotion because of sustained professional and scholarly achievements of high quality which directly and significantly contribute to the strength of the educational program and/or the stature of the university.

For faculty with no teaching assignments, performance or professional responsibilities which are directly related to their assignment shall be the most important criterion for promotion. (Faculty whose responsibilities are primarily non-teaching but who also teach will be evaluated for classroom performance as well as for professional assignments.)

Evidence: For the guidance of candidates, some sources of evidence of teaching effectiveness which may be submitted are indicated below. Except for student evaluations, no other single source is required. However, candidates are urged to prepare and submit as much relevant evidence concerning teaching effectiveness as possible. The list is not ranked in priority order:

(1) Student Evaluations - Candidates must obtain student evaluations of teaching ability. This evidence should be presented in summary form by class. A copy of the evaluation device together with data which clearly define the relevant population should be submitted (along with norms, when available). Evaluations from a minimum of 5 classes are sufficient. Limitations in validity and reliability which are recognized by the initial level of review should be taken into account by each subsequent level of review.

(2) Peer evaluations obtained by classroom visitations and/or in other appropriate teaching situations.

(3) Evidence of the development of new courses or improved teaching techniques (such as course proposal forms, descriptions of improved techniques, and grant proposals with evidence of funding if obtained).

(4) Original materials which were prepared for classroom use such as original exercises and visual aids. (Publications of textbooks or workbooks is regarded as evidence for scholarly growth.)

(5) Scientific instrumentation which was prepared and modified for classroom use.

(6) Citations or awards for teaching excellence.


Professional and Scholarly Growth is to be given equal weight with Institutional and Extra-Institutional Service. Individuals should demonstrate excellent performance in either Scholarly and Professional
Growth or in Institutional and Extra Institutional Service and satisfactory performance in the other in order to receive favorable consideration for promotion.

The following activities are considered to be in the domain of Scholarly and Professional Growth. (It is recognized that the specific activities in which an individual participates will vary from one discipline or professional field to another):

1. Work which involves the expansion of ideas, theories, and principles or which adds to the interpretation of developed knowledge in the individual’s field. This may be unpublished work which is recognized by qualified peers in the field in a direct communication or some other type of written acknowledgment. Published work is preferred.

2. Articles in scholarly and professional journals of international, national, regional, state, or local significance.

3. Published books including textbooks, workbooks, or musical manuscripts which make a contribution to the candidate’s academic or professional field.

4. Papers relevant to one’s field given at academic and professional meetings as well as participation in colloquia and symposia at the national/international, regional, state, and local levels.

5. Published multi-media packages.

(It is recognized that the above five categories must be assessed relative to the particular field. A multi-media package which is used by other universities or external agencies or an art work or a musical composition may be defined as a publication. Acceptance for publication is easier in some fields than in others. The initial level of review should indicate the relative significance of journals in which articles are published.)

6. Participation in professional/scholarly activities which are relevant to one’s area may include but need not be limited to the following:
   a. Appearance of art work in a show of high caliber.
   b. Musical, theatrical, or other public performance.
   c. Receiving commissions and/or contracts to do art, music, theater, writing, or other relevant creative work of high quality.
   d. Taking lessons from a prestigious teacher in the field or attending workshops.
   e. Selection as a consultant by agencies outside the university.
   f. Developing and modifying scientific research instrumentation primarily for research.

7. Holding office in professional and scholarly associations or serving as editor at the international, national, regional, state, or local level.

8. The winning of awards, prizes, and other forms of recognition of achievement which are relative to one’s field (such as selection by peers or prestigious external agencies to judge artistic, literary, or athletic competition or to conduct workshops or tournaments) at the international, national, regional, state or local level.

9. Preparing grant proposals. (Added importance will be given to those that are funded from non-university sources.)

Evidence. Professional and scholarly growth is most appropriately evaluated at the initial level of review. Therefore, the amount of materials concerning professional and scholarly growth will be greater at the initial level of review.

Candidates may include copies of materials and evidence which are related to professional and scholarly growth in their folders for initial level of review without restriction. All members of the initial level of review who vote on promotion should be thoroughly familiar with the contents of each folder and be prepared to make a professional judgment on the quality and quantity of such work. Before forwarding the folders to the next level of review, committees should prepare a written statement which clearly assesses the quality and quantity of such work. Attention should be given to such assessment factors as the quality of journals or exhibits.
Folders which are forwarded from the initial level of review should not contain complete copies of documents and materials which are related to professional and scholarly growth (i.e., books, journals, tapes, or slides). Each level shall review evaluations of these materials and decide if, in any instances, they should wish the original documents forwarded to them; then they should record their own assessment on the promotion form.

**FAC 5.B.5. Institutional and Extra-Institutional Services.**

Institutional and Extra-Institutional Service is to be given equal weight with Professional and Scholarly Growth. Individuals should demonstrate excellent performance in one of these two areas and satisfactory performance in the other to receive favorable consideration for promotion.

1. Faculty are expected to make available their services to the governance of the university. Institutional service consists of service which is rendered on the initial, college, and university levels. Both the quality and the quantity of service are important. Evaluations will include comments on the acceptance of a reasonable amount of responsibility, the exercise of initiative and leadership, the ability to work effectively with colleagues in a collegial environment, and the efficiency with which tasks are performed in areas such as special assignments, elected or appointed positions, committee work, or service to student organizations.

   Evidence. Included should be a listing of activities and, in summary form, a description of the scope of accomplishments such as new approaches or programs and their implementation, leadership responsibilities, estimations of time involved, and dates of service. Evidence may include statements from those in charge of the service activity which reflect the relative excellence of performance.

2. Extra-Institutional Service is that service rendered the broader community which is related to the special academic or professional competencies of a faculty member.

   Evidence. Evidence of extra-institutional service should show sustained participation with particular emphasis on service which has been completed since the candidate’s last promotion. The candidate should describe in summary form the nature of the service, scope of accomplishments, leadership responsibilities, estimates of time spent, and dates of service.
Part C. Procedures.

FAC 5.C.1. Timetable.

Dates are determined each year according to administrative calendar. Contact the Provost and Vice Chancellor’s office for a copy.

FAC 5.C.2. General Procedures.

Each initial level of review shall have a promotions committee which is composed of faculty members from within that initial level. Within a college there may be as many review units as the faculty of the college deem appropriate and are approved by the Dean of that college. There may be as little as one review body of faculty before the Dean’s review if the faculty of the college so decides (i.e., only a College Promotions Committee is required before the Dean’s review).

Members of each faculty committee are eligible to vote only on candidates of lower rank than themselves.

Members of committees beyond the original review level are not eligible to vote or participate in the discussion of candidates upon whom they have previously had the opportunity to vote at earlier review levels.

Each individual or committee involved in the promotion process shall insert in each folder at the appropriate stage in the process a written recommendation for promotion/non-promotion and the reasons for that recommendation.


(1) Initial Level of Review Committee.

The function of the Initial Level of Review Promotions Committee is to nominate candidates for promotions and appraise their performance in the three major areas--teaching, professional and scholarly growth, and institutional and extra-institutional service. The results of the appraisal, which is to include the specific number of votes, shall be attached to the candidate’s credentials for use by the other review levels. The membership of the Initial Level of Review Promotions Committee is determined by faculty of that level according to any applicable bylaws. The only restriction is that any person who renders a review decision on this committee’s decision should not (in order to ensure independent judgment) attend committee sessions during its deliberations or voting but may meet with it afterwards to discuss its recommendation. The candidate shall be given written notification of the action of the committee and the reasons therefor within three working days of the decision. (A faculty member who is not nominated may request the chairperson of the review committee that the nomination form be forwarded to the next review level and shall attach reasons to it that he/she feels are reasons why he/she should be nominated.) Nominations are forwarded to the next review level.

Faculty who have split assignments shall initiate their promotion papers through the unit in which their assignment is greatest. In the event the assignment is evenly divided or varies from year to year, the faculty member may choose which unit he/she wishes to consider the promotion initially. It shall be the candidate’s responsibility to have forwarded to the Initial Level of Review Promotions Committee an assessment of performance from all other supervisors who have administrative or academic responsibility for the faculty member.

(2) College Promotions Committee (this may be the Initial Level of Review Committee--if so, see above).

College Promotions Committees are composed of individuals who are directly elected by the faculty of the colleges. In all colleges, procedures for election should be followed which will prevent significant imbalances of faculty member’s expertise. Deans or other persons who render independent decisions on the candidate should not (in order to ensure independent judgment) sit with promotions committees during their deliberations or voting but may meet with them afterwards to discuss their recommendations. If the College Promotions Committee is not the Initial Level of Review, it should not attempt to preempt the academic judgments of the Initial Level of Review but should provide for the equitable evaluation of all candidates in terms of the formal criteria previously delineated as they may specifically apply to that college. In other words, the College Committee evaluates procedure and ascertains that criteria have been met as claimed. Recommendations of the College Promotions Committee shall be forwarded to the Dean. The candidate
and all previous levels of review, if applicable, who acted on the promotion shall be given written
notice of the action of the committee and the reasons therefor.

(3) Dean.
The Dean shall review the forms which were submitted, attach his/her recommendation, and for-
ward the information to the Provost and Vice Chancellor. The candidate and all previous levels of
review shall be given written notice of the action of the Dean and the reasons therefor.

(4) Provost and Vice Chancellor.
The Provost and Vice Chancellor shall review the forms and forward his/her recommendations to
the Chancellor; then the Provost and Vice Chancellor shall also give written notification of action
to the candidate and all previous levels of review and the reasons therefor.

(5) Chancellor.
The Chancellor shall approve or disapprove the recommendations which were sent to him/her
and then forward the list of approved candidates directly to the Board of Regents office at budget
time. The Chancellor shall notify all candidates and all previous levels of review in the promotion
of her/his actions and the reasons therefor. It is recommended that the Chancellor or the Provost
and Vice Chancellor discuss reasons with the faculty member for any action contrary to the posi-
tive recommendations of all previous levels of review.

(6) As soon as the action of the Board of Regents is known, adequate publicity shall be given to the
list of authorized promotions.

(7) The above procedures shall apply with the modifications described in this paragraph to all per-
sons whose assignments are to non-college units. Promotion recommendations for non-teaching
faculty with no college affiliation shall originate within their assigned units. Such recommendations
are then sent to the administrative head of that unit for his/her recommendation and shall then
proceed in the usual fashion from that level of review. It will be left to the administrative officer at
this level to determine, according to applicable bylaws and university policies, if a promotion
committee composed of non-teaching faculty should be formed at this level. If there is to be a
promotions committee at this level, it shall be formed by the administrative officer after consulta-
tion with appropriate members of the unit. Such proposals then proceed in the normal manner
which is described above under the same time schedule. Faculty whose responsibilities are di-
vided between academic and other assignments may be nominated for promotion by the unit in
which they have their major responsibility, with assessment statements in writing provided by all
individuals who have supervisory responsibilities for the faculty member. These must be consi-
dered by the initial level of review.

(8) Promotion recommendations from each campus go to the Board of Regents once annually in the
spring. Therefore, all promotions that are contingent upon degree completion should be filed at
this time. They will become effective in the fall if acted on favorably and contingency requirements
are met. Faculty who applied for promotion contingent upon completion the previous year and
failed to complete the degree by the appropriate date will need to apply again in the current year.

(9) All committees must observe the Open Meetings Law (see Section 19.81 et seq. Wis. Stats.)

(10) Faculty who are not nominated for promotion by the Initial Level of Review Committee have the
right to request reconsideration by the Initial Level of Review Committee. Such a request shall be
made in writing within five days of the receipt of written notification by the faculty member who
was not nominated for promotion by the Initial Level of Review Committee.

Faculty who were nominated by the Initial Level of Review and who subsequently are not recom-
manded for promotion at a higher level of review have the right within ten days after receiving no-
tice of nonpromotion from the Chancellor, sent by first class mail, to request reconsideration by
the level first recommending nonpromotion.

If, after reconsideration, the original recommendation is reaffirmed, the process will end and the
faculty member will be so informed with reasons therefor.

If the Promotions Committee or administrator recommends rescission of the nonpromotion as a re-
sult of reconsideration, the faculty member and the next review level will be so informed with the
reasons therefor. The written statement submitted by the faculty member shall also be sent forward to the next level of review.

The next level shall, as a result of the information from the previous level, conduct a reconsideration meeting with the faculty member following the procedures outlined above. The process shall end if any review level, including the Chancellor, affirms the original recommendation of nonpromotion, or the Chancellor, as the last step in the process, decides on promotion. Reasonable timetables (but in no case more than 15 working days--while school is in session--this can be extended at the request of the review committee) shall be established by all promotion committees or administrators involved with the reconsideration of nonpromotion.

In the event a faculty member has reason to believe there was a procedural error in the consideration of his/her application for promotion, the UW-Oshkosh grievance procedures may be followed.
Part D. Special Promotions Criteria.

FAC 5.D.0. Incorporation of College Personnel Materials.

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


(1) Degree Requirements.

(a) Instructor: One year master's degree.

(b) Assistant Professor: One year master’s degree. Also, a minimum of one year of additional intensive study in applied fields with eminent teachers. This does not apply where the earned doctorate or where the two-year MFA is the normal terminal degree.

(c) Associate Professor: One year master’s degree and a minimum of two years of intensive study in applied fields with eminent teachers, or the two-year MFA degree in certain fields: studio artist, creative writer, etc. This does not apply where the earned doctorate is the normal terminal degree.

(d) Professor: Earned doctorate, or exceptional qualifications beyond those listed for associate professor.

(2) Time in Rank and Experience - No change from the general requirements listed above.

(3) Teaching Ability - No change from the general requirements listed above.

(4) Professional and Scholarly Growth - Evaluations of professional growth must necessarily be partially subjective but must also be based on objective, tangible criteria when possible. An essential test for such growth in the creative fields is the faculty member’s success in holding the respect and esteem of his/her students and colleagues. For the creative artist, his/her professional growth should be measured by his/her experience and competence determined by recognized authorities in his/her field. It should be understood that all criteria listed below need not apply to each individual.

(a) Creative Studio Artist.

1. Has demonstrated reputable creative achievement as a performing artist by appearance of work in individual and juried shows of high professional caliber where the artist is in competition with other professional artists.

2. Has received professional acclaim in the form of awards, commissions, and critical reviews.

3. Has shown continual evidence of creative work of aesthetic merit other than competitive shows.

4. Has received competitive grants for travel or study.

5. Has shown substantial evidence and experience as an above average teacher in studio courses.

6. Has studied or is studying with eminent teachers who may or may not have been affiliated with schools of higher learning.

7. Has made recognized contributions to the literature of the individual’s field through publications or research.

8. Has received recognition by ranking departmental associates, especially of superior rank, of the individual’s competency in his/her field.

(b) Creative Musician.
1. Demonstrates reputable creative achievements as a performing artist, as evidenced by concerts or recitals or published compositions or research materials of high professional quality.

2. Has had substantial experience and success as a teacher in a specialized applied field and so recognized by the academic associates.

3. Has studied or is studying with eminent teachers who may or may not have been affiliated with schools of higher learning.

4. Shows evidence of continued study and professional growth.

5. Has received an award of a scholarship or fellowship at an advanced level—e.g., Fulbright, Guggenheim, Danforth, Ford, etc.

6. Has achieved recognition by colleagues, especially of superior rank, of the individual’s high achievement in his/her area of specialization.

(c) Creative Writing.

1. Reasonably frequent publications of critical or creative work in printed periodicals or, more important still, in book form by a reputable publisher (one book would receive significant attention).

2. Awards, commissions, publicity, and published critical comments arising therefrom.

3. Continual evidence of creative work of artistic merit other than publication.

4. Awards from competitive grants for travel and study.

5. Advanced study in creative writing work camps.

6. Evidence of effective teaching of creative writing through the success of students in getting their work published.

7. Recognition by colleagues, especially of superior rank, of the individual’s competency in his/her field.

(d) Creative Speech.

1. Has demonstrated reputable creative achievement as a performing artist as evidenced by theater productions, radio productions, television productions, and the like, or publication of pertinent critical or creative works of a high professional quality.

2. Has received professional acclaim in the form of critical reviews and awards.

3. Has shown effectiveness as a teacher or otherwise indicated competence in communicating the elements of his/her art to others.

4. Has continued to give indications of professional growth.

5. Has been awarded competitive scholarships or fellowships or grants for further study in his/her field.

6. Has studied beyond basic levels with eminent teachers in the area of specialization or cognate areas.

7. Has received recognition by colleagues, especially of superior rank, of the individual’s high achievement in his/her area of specialization.

(5) Institutional and Extra-Institutional Services. No change from the general requirements listed above (FAC 5.B.5.).


(1) In general the procedure for promotion of librarians shall follow the same pattern as for members of the teaching faculty, with modifications in respect to academic degrees and emphasis on other evaluative criteria. Promotion is based on merit rather than seniority. Merit is determined by:
(a) Professional competence as assessed by responsibilities held on the staff, participation in professional activities, advanced study, or efforts toward personal and professional growth.

(b) Teaching effectiveness, either direct or indirect, which is judged either by formal teaching or by effectiveness in the development and use of library technical operations.

(c) Service to the University as weighed by committee service, supervision of library personnel, or other demonstrated administrative ability.

(d) Creativeness as evaluated on the basis of publications, high-level administrative studies, or any other creative activities.

(e) Public service as appraised either by community service or by participation in state or national professional activities.

(f) Character and personality as adjudged by tolerant, honest, and fair dealings with students, faculty, and fellow librarians.

(2) Degree, Experience, Time in Rank -- No change from the general requirements listed above.

(a) Instructor.

Degree: Bachelor’s degree plus a graduate library degree or equivalent graduate degree in other professional or scholarly fields where appropriate.

Experience: No minimum.

(b) Assistant Professor.

Degree: Same as Instructor.

Experience: A minimum of five years as a librarian or in another profession or discipline. He/she must demonstrate competence in reference or bibliographic work and give creative direction to some area of library service and/or administrative responsibility.

(c) Associate Professor.

Degree: Same as Instructor plus a sixth year library degree or master’s degree in a subject field.

Experience: At least ten years of outstanding professional achievement. The faculty members should have demonstrated exceptional competence in reference or bibliographic work and exhibited proven leadership ability.

(d) Professor.

Degree: Preferably a doctor’s degree. In exceptional instances subject specialization or an additional graduate degree, professional research or publication, specialized training and/or experience, creative leadership, and demonstrated supervisory or administrative responsibility where appropriate may be considered in lieu of the doctor’s degree. The rank should be reserved for persons of proven stature in the library field or in a field of specialization.

Experience: At least ten years of outstanding professional achievement. The faculty member should have demonstrated exceptional competence in reference or bibliographic work and exhibited proven leadership ability.


(1) Degree [Social Work Faculty with doctoral degrees follow the normal requirements as outlined in this document.]. Experience, Time in Rank [Normal periods of service as established by the Administration and Faculty Senate shall apply. The same factors apply as to Teaching Ability, Professional and Scholarly Growth, and Institutional and Extra-Institutional Service as are outlined in this document.].

(a) Instructor.
Degree: M.S.W. and ACSW Eligibility, i.e., Academy of Certified Social Workers, requiring:

1. Graduate from a school of social work accredited by the Council on Social Work Education—two years of study leading to the M.S.W. degree; and also

2. Two years of successful practice experience while under the guidance of an ACSW supervisor.

Experience: Four years of Social Work Practice after the M.S.W.

(b) Assistant Professor.

Degree: Same as Instructor.

Experience: Six years Social Work Practice and one year college-level social work teaching, after the M.S.W.

(c) Associate Professor.

Degree: Same as Instructor.

Experience: Six years Social Work Practice and five years college-level social work teaching, after the M.S.W.

(d) Professor.

Degree: The earned doctorate or exceptional qualifications beyond those listed for associate professor and M.S.W., ACSW eligibility.

Experience: Six years Social Work Practice and 8 years college-level social work teaching, after the M.S.W.


(1) Procedures for promotion of journalism faculty will recognize the value of past and continuing professional experience in the field of journalism. Journalistic endeavors which would be considered in evaluating a faculty member's performance would include contributions such as publishing in newspapers and magazines, consulting, receiving awards in recognition of professional service or published work, with a highly respected individual or institution in the field, making recognized contributions to knowledge in the field through non-academic publication and participating in conferences and institutes.

(2) Degree [Faculty with Ph.D. degrees follow normal requirements set by the university except where noted.]

(a) Assistant Professor.

Degree: Master’s or Doctorate.

Experience: Doctorate: Two years appropriate professional experience.

Master’s: Five years appropriate professional experience.

(b) Associate Professor.

Degree: Master’s or Doctorate.

Experience: Doctorate: A minimum of five years of college teaching.

Master’s: A minimum of ten years of experience including at least five years of appropriate professional experience and two years of college teaching.

(c) Professor.

Degree: Master’s or Doctorate.

Experience: Doctorate: A minimum of ten years.

Masters: A minimum of fifteen years, including at least five years of appropriate professional experience and five years of college teaching.
Faculty Chapter Six
Faculty Performance Review

FAC 6.0. Incorporation of College Personnel Materials.
Please note that substantive requirements relating to faculty appointment, renewal, tenure, promotion, and merit may be found in materials developed at the college or department level. College-specific information has been included as an appendix to this material.

FAC 6.1. UWS 3.05 (Faculty Appointments: Periodic Review) of the Wisconsin Administrative Code, Rules of the Board of Regents.

UWS 3.05 Periodic Review.
The faculty and Chancellor of each institution, after consultation with appropriate students, shall establish rules providing for periodic review of faculty performance.
History: Cr. Register, January, 1975, No. 229, eff. 2-1-75.

FAC 6.2. Pre-Tenure Review.
The review and evaluation of faculty on probationary appointments is conducted through the renewal/nonrenewal process described in chapter titled "Faculty Renewal and Tenure".

FAC 6.3. Post-Tenure Review.
Every four years, all tenured faculty who have not been promoted in rank in the past four years, shall participate in a performance appraisal. Colleges shall identify a process for post tenure review that must include the following:

1. General guidelines for the collection and assessment of evidence of quality teaching, professional and scholarly growth, and service. These guidelines must be consistent with the collection and assessment of such evidence in the merit process and in the promotion process.
2. A process for providing written feedback to faculty members being evaluated and for face-to-face feedback with the unit head and/or personnel committee representative.
3. A process for identifying those faculty whose performance does not meet professional expectations in the area of teaching, professional and scholarly growth, and service. For faculty who are not meeting expectations, a faculty development plan should be developed. The faculty development plan should outline major goals to be attained in order to eliminate the deficiencies.
4. Provision for using the results of the post tenure review in determining merit pay adjustments without conducting a separate merit review.
5. Provision for filing summaries of evaluations with the Provost and Vice Chancellor's Office.

FAC 6.4. Faculty Teaching Evaluation.
Faculty evaluation for renewal, tenure, post-tenure review and merit will be based on documentation submitted as it relates to a variety of teaching performance categories: (1) course planning and preparation; (2) actual teaching; (3) evaluating student learning and providing feedback; and (4) keeping up with the professional field in areas related to teaching performance.

1. Each academic unit (department of instruction or college) is responsible for establishing specific criteria for teaching evaluation and weights to be used. Evaluation of each of the teaching categories must be included in the evaluation process.
2. The specific evaluation process, criteria, and evaluation weights to be used must be communicated in writing to each faculty member within the unit prior to the start of a new evaluation period. Student opinion surveys can represent no more than 50% of the evaluation weight with consideration given to different types of courses.
3. The adopted procedures are required of all faculty members, tenured or untenured, in the academic unit. Faculty members may supplement the procedures with other evaluation material but the basic evaluation process must be uniform for all faculty members in an academic unit. The in-
tent of this section is to prohibit an academic unit policy which permits each faculty member to es-
4 tablish his or her own evaluation process, and to require a single process for all members of an
5 academic unit.
6 (4) Every faculty member has a right to adequate feedback on his or her teaching evaluations. Writt-
7 en feedback will inform faculty members of ratings in each category as well as an overall score. In
8 the event unsatisfactory ratings are assigned, written feedback in each category and a sum-
9 mary statement must be provided to the faculty member.
10 (5) In the event unsatisfactory ratings are assigned, a written improvement plan must be formulated
11 and communicated to the faculty member. Improvement plans may be jointly written by the re-
12 viewing committee and/or department chair and faculty member. All parties involved must sign the
13 teaching improvement plan.
14 (6) The written policies and procedures of each academic unit include: (a) the form(s) by which data
15 are collected (including the specific student opinion survey forms required); (b) a description of
16 the collection process; (c) requirements concerning frequency of collection, dates of submission
17 of material and similar administrative procedures; and (d) a description of the criteria to be used
18 and the process by which the information is to be interpreted or analyzed. A copy of the policies
19 and procedures must be on file with the Faculty Senate.
20 (7) Each faculty member is responsible for assuring that his or her personnel folder contains evalua-
21 tion information consistent with unit policy for merit, promotion, reappointment, or post-tenure re-
22 view. This evaluation information will be both current and comprehensive enough to serve to re-
23 flect student’s opinions of teaching effectiveness and to support accomplishments in the four
24 teaching categories.
25 (8) To be eligible for consideration for merit salary increases, all faculty members must have in their
26 personnel folders documentation supporting accomplishments in the teaching categories and evi-
27 dence of student’s opinion of instruction in accordance with academic unit policy. Student opinion
28 surveys for no less than three courses per evaluation period, for both tenured and untenured fa-
29 culty, must be included. Academic unit policy may require more than three evaluations per eval-
30 uation period.
31 (9) To be eligible for consideration for promotion or reappointment, personnel folders must contain
32 documentation supporting accomplishments in the teaching categories and evidence of student’s
33 opinion of instruction collected in accordance with unit policy and procedures. The documentation,
34 at a minimum, must consist of a copy of all student opinion of instruction summary results col-
35 lected; a summary of student’s opinions prepared by the department; a summary of the accompl-
36 ishments in teaching the categories prepared by the department; and a specific and thorough
37 analysis of the results of the documentation and data collected. These documents accompany the
38 personnel folder from the department level through all levels of review. Faculty members have the
39 right to place for consideration additional documentation to support teaching effectiveness or ad-
40 ditional student opinion material in their personnel folders. If documentation is found to be insuffi-
41 cient at a level above the initiating academic unit, clarification or additional information may be re-
42 quested of the faculty member’s academic unit.
43 (10) Suggested documentation for the four teaching categories may include but not be limited to the
44 following items:
45 (a) Course Planning and Preparation.
46 1. Degree of participation in new courses written and taken to the Curriculum
47 Committee.
48 2. Degree of participation in major course revisions that were taken to the Curriculum
49 Committee.
50 3. Major updating and change of courses beyond usual updating but not of sufficient nature
51 to go through the Curriculum Committee (attach syllabus of old vs. new with the changes
52 highlighted)
53 4. Development of materials for courses. This could include course manuals, audio-visual
54 support, study guides, etc. (describe materials and/or attach)
5. Innovations in teaching. Describe alternative delivery systems you have tried or other innovations.

6. Self evaluation of course planning and preparation activities.

7. Unique aspects about the courses taught or your load such as new preparations, overload, extensive travel for teaching responsibilities, etc.

8. Unit or individual research activities involving courses or teaching activities, program reviews, or other improvement of instruction assignments.

9. Efforts to incorporate materials and methods that address issues of diversity.

(b) Actual Teaching.

1. List of all courses taught, number of credits, and enrollments.

2. Summary evaluations and copies of appropriate student opinion survey forms for at least three classes taught during the review period.

3. Written student comments.

4. Other letters or evidence of student satisfaction with teaching.

5. Peer evaluations.


7. Teaching awards received or other special recognitions related to teaching.

8. Independent study or readings course responsibilities.

9. Labor intensive teaching of basic skills (e.g. oral and written communications, computer skills, research skills, etc.)

(c) Evaluating Student Learning and Providing Feedback.

1. Include copies of tests, assignments, and major projects used to evaluate student learning. Describe types of student learning assessed with each instrument.

2. List the names of students and your role on any comprehensive examination committees and thesis committees.

3. Identify advisement responsibilities at the undergraduate or graduate levels.

4. Self-evaluation of student learning, test validation, and providing feedback.

(d) Keeping Up with the Professional Field in Areas Related to Teaching Performance.

1. Professional development and service activities that enhanced teaching performance.

2. New or expanded areas of professional investigation relating to teaching responsibilities.

3. Professional literature most commonly read.

4. Self-evaluation indicating how you are keeping up with the professional field in areas related to your teaching.

FAC 6.5. UW System Policy on Student Evaluation of Instruction.

Board of Regents of the University of Wisconsin System Policy on Student Evaluation of Instruction. On October 4, 1974, the Board of Regents approved resolution 868 that created policy document 74-13 relating to "Student Evaluation of Instruction." This policy, as revised, was approved by Chancellor Kerrigan on 12/22/93 to be effective 2/1/94.

(1) Preamble.

The Regents, administrations and faculties of the University of Wisconsin System have in common the purpose of providing the most effective instruction possible for all students. They also share the interest which students have in improvement of teaching quality, and assert that teach-
ing ability should be one of the chief criteria considered in tenure decisions and in the retention, promotion, and compensation of faculty.

(2) Student evaluation of teaching is an important source of information on classroom performance. For this reason, the Regents seek to establish University of Wisconsin System policy on the use of student evaluation of teaching for (a) improvement of instruction; (b) retention, promotion, and tenure decisions; and (c) merit salary increase deliberations. The statement herein is limited to formal student evaluation of instruction only and does not cover evaluation of non-instructional personnel or activities, or evaluation of instruction by faculty peers or administrators. As background for such a System policy, the Regents offer the following commentary:

(a) General Observations.

Student evaluation for such purposes as those stated above is now conducted in a variety of ways throughout the University System. The Regents recognize that the faculties of the several Institutions have the primary responsibility for setting policy concerning the method or methods by which student evaluation of instruction may be undertaken. Currently in the System some campuses have in operation a uniform Institution-wide method of student evaluation, others permit departmental/divisional autonomy, and others use systems devised and/or administered by student groups. Institutional faculty governance bodies are encouraged to work toward an evaluative methodology, including delineation of faculty/student involvement in development of evaluation instrument(s) and procedures for its (their) use, particularly suited to the needs and nature of their Institutions.

While research on the use of student evaluation has been extensive, no single instrument or methodology can be identified which is clearly more valid or useful than another. Emphasis may to good effect be placed on description of what happens in the classroom; research is still clearly needed to improve evaluation methodologies. Consequently, whatever practice is followed will need to be improved by an on-going process of testing and perfecting, and a wise understanding of the strengths and limitations of the student evaluation methodology in use. The Regents accordingly believe that variety of practice, affirmed by the considered judgment of the faculties of the several Institutions, constitutes the best basis for carrying out a Regent policy on student evaluation.

(b) Use of Student Evaluation for Improvement of Instruction.

One of the widest uses of student evaluation is as a source of information for the improvement of instruction. The Regents recognize that a variety of instruments or methods of student evaluation may serve the purpose of improving instruction, yet at the same time have little value for purposes of comparative evaluation of teaching performance. For example, short questionnaires checking student reaction to particular teaching materials, units, forms of presentation, or exams; open-ended suggestions solicited from class members for course improvements; or class discussion as part of the on-going process of course planning and conduct may be useful for instructional improvement but not of value for peer group advice or administrative uses. Frequently, student evaluation for self-improvement is best used when the faculty member has freedom of choice as to instrument, methods or frequency. In this context, information which a faculty member solicits from students may be of greatest value for teaching improvement when there is no requirement that it be submitted to support promotion, tenure, or merit increase decisions.

(c) Use of Student Evaluations for Retention, Promotion, and Tenure Decisions.

Peer group evaluation of a faculty member for retention, promotion, or tenure is necessarily based on multiple criteria which include effectiveness in teaching as well as high quality in scholarly activity and public service. Final consensus prior to a recommendation requires a judicious weighing of such criteria, both singly and in relation to one another, relative to the current mission and developmental needs of a department and Institution. In assessing teaching effectiveness, the Regents believe that student evaluations are an important and useful source of evidence which should be explicitly considered in reaching judgments. The Regents assert, however, that student evaluation must not be a substitute for direct peer judgement of teaching effectiveness through a variety of means such as observation of teaching, assessment of syllabi, examinations, and other course materials, and evaluation of con-
tributions to development and strengthening of departmental curriculum. Moreover, effective peer judgment of teaching effectiveness necessarily includes both examination of the faculty member’s current level of performance, and also his or her potential for growth.

(d) Use of Student Evaluations in Merit Salary Increase Decisions.

With regard to merit salary increase, the Regents are aware that sharp differences of opinion exist within the System, and within higher education nationally, concerning the value of repeated and regular use of a single evaluative instrument as one of the bases for annual decisions. While some campuses regularly use student evaluations for the purpose of improving teaching, other campuses believe that requiring annual or semester use for all classes of all teachers (since all teachers might properly be considered for merit increases) may generate costs well beyond any benefits received. The system may be time consuming and costly to manage. It may generate a volume of data much of which is redundant in the sense that steady and repetitious use may not generate new information. Such concerns should be reflected in a policy statement on student evaluation.

(3) Policy Statement.

In light of these considerations and in an effort to ensure considered use of student evaluation for certain administrative purposes and to encourage its increased use for other purpose, the Regents have prepared the following statement of System policy:

(a) Student evaluation for the improvement of instruction. Each Institution of the System should develop policy supporting the widest possible use of student evaluation for the improvement of instruction, together with supporting services which will best encourage and assist faculty members to use student evaluation for this purpose.

(b) Student evaluation of instruction as information used in actions on promotion, retention or the awarding of tenure. Each Institution of the University System shall adopt such policies for instructional faculty as will ensure (1) that student evaluation of the instruction of each faculty member being considered for promotion or tenure shall be undertaken; (2) that the faculty body which initiates recommendations for promotion or tenure shall consider, in addition to independent peer judgment of teaching effectiveness, student evaluation data, taking into account existing limitations in validity and reliability of the evaluation methodology employed; and (3) that the faculty body initiating the recommendation shall include both its explicit evaluation of the teaching effectiveness of the person for whom the recommendation is made, and shall include a summary of information provided by student evaluation as part of the supporting evidence for its recommendation.

Each Institution shall develop systematic and firm procedure(s) for the manner and form of presenting student evaluation material for administrative purposes. Faculty members being evaluated should be informed of and have the right to respond to any summaries of student evaluations to be submitted for administrative use.

(c) Student evaluation of instruction as information used in actions on merit salary increase. All faculty members being considered for merit salary increases shall be evaluated by their peers as to their instructional ability, using information from student evaluation of their instruction, as well as other information relevant to assessment, at least once every three years. The intent of this policy is to delegate to the Institutions and their faculties decision as to the minimal frequency with which full assessment of teaching performance should be undertaken and formal analysis of student evaluation data carried out. It does not, however, imply that more frequent student evaluation might not be wise or desirable in order to provide the most substantial basis for the formal assessment of teaching performance.

N.B.—The Policy Statement on Student Evaluation of Instruction shall be applied to all teaching faculty understanding that in UW-Extension major portions of faculty assignments may be to continuing education and public service. Accordingly, this institution should develop analogous procedures for gathering information on the response of client groups to the performance of such faculty.

(4) Reporting.
The Regents ask that by March 1, 1975, each Institution report to the Office of Academic Affairs its policies then in effect concerning student evaluation of instruction, together with copies of any instruments in widespread use by the faculty, and a description of any institutional services provided the faculty member or department in carrying out evaluation procedures. It is assumed that by this date (March 1, 1975), all campuses will be carrying out the student evaluation actions needed to implement the requirements of section 2, foregoing. It is further assumed that the process of developing, testing, and phasing in an Institutional policy and practice concerning student evaluation will be completed not later than July 1, 1976. The Office of Academic Affairs shall summarize such information in a report to the Regents, and, as requested by the council of Chancellors, shall assist in disseminating information on practice within the System to the several Institutions.


Introduction: The following is intended to implement Regent policy regarding student evaluation of instruction. This policy meets the requirements of the Regent statement and addresses the University’s commitment in the area of soliciting and interpreting student opinions on teaching.

(1) Policy.

Student opinions on teaching are an important source of information on classroom performance. When combined with data from other sources, student opinions on teaching allow informed tenure, appointment, promotion and salary decisions. When survey instruments are designed with teaching improvement in mind, student opinions also provide a basis for strengthening instruction. Faculty are encouraged to seek advice which will assist them in improving their teaching as well as obtaining student opinions for that purpose. The following procedures assist the implementation of this policy in personnel decisions. Supplementary survey instruments may be needed for a faculty member to obtain student opinions specific enough to permit improvement of instructional methods.

(2) Procedures.

(a) All committees and individual decision-makers involved in promotion, tenure, renewal, and merit decisions must consider teaching effectiveness data from multiple sources. There is no single set of survey questions about instructor effectiveness that is universally appropriate across disciplines, course levels, and programs. In addition to student surveys, evidence of teaching effectiveness includes information such as: peer reviews of teaching based on classroom observation and other data; reviews of teaching materials, assignments, and grading practices; evidence of instructional innovation and curricular development; and reviews of other instructor-provided information such as essays, videotapes, software, and other courseware.

(b) Each academic unit (departments of instruction in the College of Letters and Science or the college, elsewhere) must prepare and adopt formal procedures for conducting surveys of student opinions concerning instruction and courses. Academic units which have procedures in place are required to reconfirm that they are consonant with this policy. Each unit will consult with, but not seek the approval of, the college regarding its proposed instructor and written procedure. The sole focus of this consultation will be consistent with University policy. Since student evaluations play a major role in TARPS deliberations, committees that make college-wide promotion, renewal, and tenure recommendations will be given an opportunity to comment on the adequacy of the proposed procedure.

1. Unit instruments and policies will be reviewed at least once every five years and, if modified, resubmitted for consultation and recommendation.

2. The means of preparing and adopting procedures in each academic unit are to be in accordance with existing bylaws, except that in all cases students may participate in the development of procedures. The manner of student participation is subject to the approval of the unit’s faculty members. For purposes of this policy, the terms “faculty” and “faculty member” refer to all faculty and academic staff with teaching assignments.

(c) The procedures adopted by each unit must take into account the differing instructional demands and expectations in individual units.
1. The primary principle which should guide the collection of student opinions is that the content of the survey instrument and procedure used should be set by those closest to the field -- the smallest academic unit engaged in personnel decisions. Units shall be free to decide which types of information best meet their needs.

2. Units will obtain quantitative and/or qualitative student survey data from student surveys and other sources, but will in any case seek the best kinds of information to serve as a basis for efforts to improve instruction and for meaningful assessments of teaching effectiveness.

3. Committees and decision-makers beyond the academic unit may not require any particular type of data without concurrence by the academic unit. However, it is the responsibility of units and their candidates to make the strongest possible cases by assuring that quantitative and qualitative data presented is adequate and has been seriously and thoroughly analyzed.

(d) The instrument and procedure adopted by the unit will be uniformly required of all faculty members. No academic unit may adopt a policy which permits individual faculty members to establish their own data collection processes. Individual faculty members may supplement data collected under unit policy with additional data.

(e) The written policies and procedures of each department shall address:

1. the form(s) by which data are to be collected;
2. the collection process;
3. requirements concerning frequency of collection, dates of submission and similar administrative requirements; and
4. how the information is to be interpreted and summarized.

(f) A copy of the approved policies and procedures of each academic unit will be filed with the Faculty Senate and available for review. Units are responsible for assuring their own members are aware of requirements and their policy.

(g) Other general considerations:

1. Student surveys are conducted anonymously.
2. To be eligible for consideration for merit salary increases, faculty members must have in their personnel folders evidence of students’ opinion of instruction, consistent with unit policy. The data must be collected no less often than every three years, though more frequent assessment is encouraged.
3. To be eligible for consideration for promotion or reappointment, faculty members must have in their personnel folders evidence of students’ opinion of instruction collected according to unit policy and procedures. The documentation, at a minimum, must consist of a summary of students’ opinions prepared by the unit and a specific and thorough analysis of the data collected. Review levels beyond the unit may request further information, such as copies of opinion surveys. Ordinarily, only the academic unit will receive raw copies of student opinion data. These documents will be provided to all levels of review.
4. Each faculty member is responsible for assuring that his or her personnel folder contains information sufficiently current and comprehensive to reflect students’ opinions of teaching effectiveness. To provide adequate support for tenure, reappointment, promotion, and salary decisions, faculty should provide current student opinion data for most, and ideally all, courses they teach.
5. If the student opinion information or teaching effectiveness data from other sources is found to be insufficient by higher levels of review, clarification or additional information may be requested of the faculty member’s unit. Review bodies are responsible for informing candidates of inadequacies in their documentation of teaching effectiveness, so that they may improve their presentation of data in the future. The unit bears primary respon-
sibility for providing guidance to its faculty, including information on ways to improve
teaching and resources available to assist faculty in that endeavor.

(h) Student Opinion Statistics and Their Interpretation.

The following conditions apply:

1. Most levels of review will receive summaries of student opinion surveys. It is particularly
   important that all reviewers appreciate the limitations of purely statistical information and
   are sensitive to factors which can affect individual scores.

2. Testing and Research Services shall be responsible for the calculation of statistics for all
   survey forms that it provides for campus wide use. Colleges shall have the same respon-
   sibility for any forms provided by a college and used by more than one department within
   that college. Academic units that choose to develop their own student opinion survey
   forms are responsible for summarizing the statistics and providing the interpretations
   needed to make reasoned and appropriate judgments regarding teaching effectiveness.
   Academic units have the responsibility and right to collect any student opinion data ne-
   cessary to build a data base for interpretation of that data.

3. In light of the widely acknowledged limitations of student opinion surveys, interpretations
   of raw data become particularly important. Unit policy will provide for those interpreta-
   tions.

4. Empirical research has shown that scores on student opinion surveys may be affected by
   a variety of factors, such as class size, course level, program (graduate/undergraduate),
   course type (required/elective), department, gender, age, experience with prior teaching
   of the course, years of teaching experience, expected or actual grades earned by stu-
   dents, etc. Data interpretations should note how such factors are likely to have favorably
   or unfavorably affected the data gathered.

5. Quantitative student opinion survey data should include medians, means, and standard
   deviations and frequency distribution of responses for each of the items in the survey for
   each context of analysis. Since the distribution of opinion scores for individual items is
   typically negatively skewed, the median is the preferred measure of central tendency.
   (e.g., reactions, instructors, course, etc.)

6. Because of the inherent multi-dimensionality of student opinion surveys, statistics that re-
   sult from averaging or summing the responses to all of the items in a survey are inappro-
   priate. Ideally, appropriate statistical analysis will be performed to determine meaningful
   item clusters with summary statistics specific to these clusters. The summary statistic for
   a cluster will normally be a mean of the median responses to the individual items in the
   cluster. Percentile, decile, or quartile distributions may then be based upon this summary
   statistic, allowing faculty members within a unit to be compared in terms of performance
   in each cluster. No attempt should be made to combine cluster summary statistics.

7. Comparisons of teaching evaluation scores between faculty members in different aca-
   demic units may not be used in promotion, tenure, renewal, and merit considerations. As
   an alternative to this procedure, medians and distributions may be presented for individ-
   ual items. Since the statistics and analyses listed above may not be available for years
   preceding implementation of this policy, decision-makers must exercise extreme caution
   in the interpreting student opinion data that does not consider factors unrelated to teach-
   ing effectiveness or beyond the control of the instructor.

8. Written comments from students will not be collected or recorded from any University
   student opinion survey form.
Faculty Chapter Seven  
Faculty Employment Considerations

Part A. General.

FAC 7.A.0. Incorporation of College Personnel Materials.
Please note that substantive requirements relating to faculty appointment, renewal, tenure, promotion, and merit may be found in materials developed at the college or department level. College-specific information has been included as an appendix to this material.

FAC 7.A.1. Faculty Responsibilities.
It is recognized that University of Wisconsin Oshkosh faculty are professionals and exercise a high degree of responsibility in carrying out their duties. Whatever methods individual faculty members choose to meet their obligations it is expected that every member will meet or exceed the minimum expectations of Regent policy (ACPS-4): The contractual academic year shall consist of a full nine months (39) weeks and shall include not fewer than 34 weeks of organized services for students including classroom instruction, registration, advising, and examining.

Individual faculty members are responsible for clearing with their chairperson or comparable supervisor what they will be doing as part of their university assignment in addition to their teaching. Faculty members will be expected to engage in their share of non-teaching duties (advisement, committee service, etc.) unless other arrangements (justifiable in terms of the educational mission of the University) are made with the person whom they customarily consult about their responsibilities. Chairpersons should have documentation of the staff members’ agreed upon activities on file. As has customarily been the pattern, faculty members will continue to have their teaching and non-teaching activities assessed periodically when determining the annual evaluations, renewals, and promotions.
Part B. Faculty Workload Policy.

FAC 7.B.1. Faculty Workload.

The workload of University of Wisconsin Oshkosh tenured and tenure track faculty includes expected activities in each of the following areas:

(1) Teaching.

In accordance with the UW Oshkosh mission statement, the primary responsibility of faculty is teaching. The teaching load for faculty with a typical full time instructional assignment is 24 standard college hours per academic year, although portions of this load may be reassigned to accommodate other duties associated with such activities as additional research, unusual modes of instruction, clinical or thesis supervision, graduate teaching, program administration, etc. This load may be distributed in any fashion acceptable under our academic calendar system.

(2) Professional Growth.

Faculty are expected to remain current and productive in their areas of expertise. Appropriate activities (listed as examples) include research, publication, creative and artistic endeavors, grant related activity, and attendance and participation at professional conferences.

(3) Service.

Faculty are expected to provide service to their department, college, university, community, and professional organizations. Appropriate activities (listed as examples) include committee work; talks to professional, student, or community groups; conducting seminars and workshops (including outreach); service to student organizations; and providing professional expertise to university and community.

FAC 7.B.2. Workload Determination.

Faculty workload assignments are typically made at the departmental level according to policies and procedures specified in department and college bylaws. The Department Chair and Dean are responsible for the approval of workloads. Each college or equivalent unit is required to develop a policy for review and approval of assigned workloads. Such policies must be approved by the appropriate college governance group, Dean, Provost, and Chancellor. Such policies must include a statement of where assigned workloads originate, who is responsible for their approval, and the rationale or criteria to be applied in approving workload reassignments. The policy must include a provision for the collection of descriptive information on workloads which will be periodically reported to the Provost in summary form.


Performance in each of these areas is continuously evaluated for renewal and tenure decisions, and merit based salary adjustments. All such evaluations begin with faculty submission of summaries of accomplishments in each area. Depending upon the purpose of the evaluation either department or college guidelines, consistent with university policy, will define the activities covered. These submissions are typically evaluated by peers and/or supervisors at the departmental level, and then forwarded through the Dean to the Provost and Chancellor. Additional evaluation may be required by the policy for the review of the performance of tenured faculty.
Part C. Faculty Recognition.

FAC 7.C.1. Distinguished Teaching Award.

Each year the University of Wisconsin Oshkosh will recognize the contributions of its faculty and instructional academic staff members with a Distinguished Teaching Award.

(1) Purpose.

To emphasize University of Wisconsin Oshkosh’s commitment to teaching excellence and stressing the importance of teaching to the University, one to three faculty and one to three instructional academic staff will be selected each year to receive the prestigious title of Distinguished Teacher.

(2) Eligibility.

Faculty: Current full-time faculty who are: in at least their fourth year of service at University of Wisconsin Oshkosh; who have taught an average of 6 credits per year over the past 3 years; and who are teaching during the current year are eligible to be nominated for the Distinguished Teaching Award.

Instructional Academic Staff: Current IAS who are in at least their fourth year of service at University of Wisconsin Oshkosh at .75 FTE or more; and who are teaching at .75 FTE during the current year are eligible to be nominated for the Distinguished Teaching Award.

(3) Criteria.

The criterion to be used will be demonstrated excellence in teaching.

(4) Documentation.

Each nomination shall be forwarded on the Distinguished Teaching Award Form prepared by the Provost and Vice Chancellor’s Office in consultation with the Executive Committees of the Faculty Senate and Senate of Academic Staff. The forms will cover as a minimum the area(s) listed below for each category and may be completed by the nominee or the nominator.

Faculty:

(a) Teaching - Summaries of student evaluations of teaching will need to be included along with other evidence substantiating excellence in teaching.

(b) Professional and Scholarly Growth - Evidence of professional and scholarly growth will need to be included and a statement provided as to how it relates to teaching excellence.

(c) Service - Evidence of institutional and extra-institutional service will need to be included and a statement provided as to how it relates to teaching excellence.

Instructional Academic Staff:

(a) Criteria for this award are restricted to components of teaching. Documentation is submitted evidencing and illustrating the richness of instruction achieved. Such documentation might include assignments the instructor has designed, peer evaluations, letters of support from students and alumni, student evaluations, letters of recommendation from other IAS and faculty, and papers/projects completed by students that reflect excellence in teaching.

(5) Procedures.

(a) Announcement

1. On February 15 of each year the names of persons nominated for the award will be forwarded by units to the Provost and Vice Chancellor’s Office.

(b) Nominations

1. Faculty: Each unit (department, college, etc.) may nominate one individual for each 20 FTE or fraction thereof assigned to the unit. The method of selection shall be left to the unit consistent with bylaws in effect.
Instructional Academic Staff: Each unit (department, college, etc.) may nominate one individual for each 20 FTE or fraction thereof assigned to the unit. The method of selection shall be left to the unit consistent with bylaws in effect.

2. The Oshkosh Student Association (OSA) may nominate no more than 10 individuals by procedures established by OSA.

3. The Alumni Board of University of Wisconsin Oshkosh may nominate no more than 10 individuals by procedures established by the Board.

4. The proper forms shall be completed and forwarded to the Provost and Vice Chancellor’s Office: via the Dean (or functional equivalent); via the President of OSA for student nominations; or via the Director of Alumni Affairs for Alumni Board recommendations. The Dean (or functional equivalent) shall indicate support or nonsupport of recommendation from the nominating units.

5. The Provost and Vice Chancellor’s Office shall collate the nominations and arrange the materials for the selection process.

(c) Selection Process

A Distinguished Teaching Award Committee shall be formed consisting of: three faculty appointed by the Faculty Senate with one of these three, if possible, having been a previous recipient of the award; three instructional academic staff appointed by the Senate of Academic Staff with one of these three, if possible, having been a previous recipient of the award; three students appointed by Oshkosh Student Association; one person appointed by the Alumni Board; and a person appointed by the Provost and Vice Chancellor as an ex officio non-voting member. Names of committee members shall be forwarded to the Provost and Vice Chancellor by the president of the Faculty Senate, the president of the Senate of Academic Staff, the president of OSA and the director of Alumni Affairs on or before February 1 of each year.

The Provost and Vice Chancellor’s appointee will arrange for the first meeting of the committee and conduct an election for a chairperson of the committee at that meeting.

After reviewing the forms the committee shall submit three names of faculty and three names of instructional academic staff and the forms via the chairperson of the committee to the Provost and Vice Chancellor’s Office no later than March 15. The committee may choose to rank order the names in the faculty category and to rank order the names in the instructional academic staff category, and include specific comments on each of the individuals.

The Provost and Vice Chancellor and Chancellor will then select from one to three faculty and one to three instructional academic staff to receive the Distinguished Teaching Award.

The award will normally be presented at Opening Day assembly in the fall.


All members of the teaching faculty are eligible for nomination for the John McNaughton Rosebush Professorship. Nominations may be made by faculty, staff and students; self nominations will not be accepted.

As many as four Rosebush Professorships may be awarded to the winners. Funding is provided by donations made by members of the community to the University of Wisconsin Oshkosh Foundation.

The award is based on compelling evidence of excellence in teaching, scholarly activity and professional growth, and service to the community or the University/Community.

FAC 7.C.3. Endowed University Professorships.

The University of Wisconsin Oshkosh Foundation, Inc. has established an endowed professorship program that recognizes faculty achievement.

All faculty members who are tenured and hold the rank of associate or full professor will be eligible for the award of a University Professorship. The primary criterion of selection shall be excellence in scholarship.
and/or creative accomplishments, for example, research publications, literary works, paintings, musical compositions or performances. A candidate must also have demonstrated a record of quality teaching.

Each appointment shall be for a period of four years. An Endowed Professorship shall carry:

1. A monetary award for professional development including academically related travel, equipment and supplies, and/or student assistance; and
2. A monetary award to the recipient’s department to promote its mission.

**FAC 7.C.4. Barbara G. Sniffen Faculty Governance Service Award.**

The purpose of the Barbara G. Sniffen Faculty Governance Service Award is to emphasize the critical role of faculty service activities in the functioning of the University, and to recognize individuals who have compiled truly *exceptional* service records over the course of their careers at the University of Wisconsin Oshkosh.

To be eligible for this award, faculty must have been a member of the UW Oshkosh faculty for at least 12 years and have the rank of Associate Professor or Professor at the time of nomination.

The selection criteria for this award include the number of service activities over a faculty member’s career at UW Oshkosh and the significance of those activities. Teaching and Scholarship are not included in the selection criteria. Holding the rank of Associate Professor or Professor provides sufficient evidence that adequate teaching and scholarly performance have been demonstrated.

Nominees for this award will submit a complete list of their service activities while members of the UW Oshkosh faculty. This list may include service to one’s department and college, UW Oshkosh, and the UW System. Information on teaching performance, scholarly activities, or professional or community service may not be included.

In October, the Faculty Senate Office will solicit nominations for the Barbara G. Sniffen Faculty Governance Service Award. Self-nominations are allowed.

A three-person selection committee will be appointed by the Executive Committee of the Faculty Senate. Committee members must be previous winners of this award with the rank of Professor or Professor Emeritus (former Presidents of the Faculty Senate may serve on the committee if previous winners are not available). The committee’s charge will be to review and consider the service records of those nominated and select one individual to receive the award. Should the committee conclude that none of the nominees have sufficiently outstanding service records to merit receiving the award, no award will be made.

**FAC 7.C.5. Recognition of Faculty, Academic Staff, and Classified Staff for Length of Service.**

The University of Wisconsin Oshkosh recognizes faculty and staff for the length of service. Each spring, usually in April, faculty and academic staff are recognized for 5, 10, 15, 20, and 25 years of service. This recognition is implemented through the Office of Special Events.
Faculty Chapter Eight
Employment Separation

Part A. Faculty Layoff.


UWS 5.01 General.
Notwithstanding s. 36.13 Stats., the board may lay off or terminate a tenured faculty member, or lay off or terminate a probationary faculty member prior to the end of his or her appointment, in the event of a financial emergency. Such layoffs or terminations may be made only in accord with the provisions of this chapter, and imply the retention of rights indicated herein. A nonrenewal, regardless of reasons, is not a layoff or termination under this section.

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

UWS 5.02 Financial emergency.
(1) For the purposes of this chapter, "financial emergency" is a state which may be declared by the board to exist for an institution if and only if the board finds that the following conditions exist:

(a) The total general program operations (GPR/fee) budget of the institution, excluding adjustments for salary/wage increases and for inflationary impact on non-salary budgets, has been reduced;

(b) Institutional operation within this reduced budget requires a reduction in the number of faculty positions such that tenured faculty must be laid off, or probationary faculty must be laid off prior to the end of their respective appointments. Such a reduction in faculty positions shall be deemed required only if in the board’s judgment it will have an effect substantially less detrimental to the institution’s ability to fulfill its mission than would other forms of budgetary curtailment available to the institution; and

(c) The procedures described in ss. US 5.05 and 5.06 have been followed.

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

UWS 5.03 Layoff and termination.
For the purposes of this chapter "layoff" is the indefinite suspension or an involuntary reduction in services and compensation of a faculty member’s employment by the University of Wisconsin System. A laid off faculty member retains the rights specified in ss. UWS 5.16 through 5.21, inclusive. For the purposes of this chapter, "termination" is the permanent elimination of a faculty member’s employment by the University of Wisconsin System. A terminated faculty member retains rights specified in ss. UWS 5.18 and 5.19.

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

UWS 5.04 Faculty consultative committee.
The faculty of each institution shall, promptly after February 1, 1975, designate or create a standing faculty committee to consult with the Chancellor if at any time a declaration of financial emergency is to be considered. The committee shall consist of faculty members of the institution chosen by the faculty in a manner to be determined by the faculty. It is the right and responsibility of this committee to represent the faculty before the board if a declaration of a state of financial emergency for the institution is being considered, and to assure that the procedures of ss. UWS 5.05 and 5.06 are followed.

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

UWS 5.05 Consultation.
(1) In the event that a declaration of financial emergency is contemplated, the Chancellor of the affected institution shall consult with and seek advice from the faculty committee provided for in ss. UWS 5.04 at least 3 months before the matter is taken to the board. The Chancellor and committee shall:
(a) Consider identifiable alternative methods of budget reduction;

(b) Determine whether reductions in faculty positions under the provisions of this chapter can be made with less detriment to the institution's (sic) ability to fulfill its mission than would follow from reasonable alternative courses of action;

(c) Determine from which colleges, schools, departments, or programs faculty positions should be eliminated;

(d) Consult with faculties of colleges, schools, departments and programs potentially involved; and

(e) Consult with such other individuals and groups as they feel may be able to provide valuable advice.

(2) The committee shall prepare a report, with supporting documents, for submission to the Chancellor, the faculty senate, or institutional equivalent, and the board.

(3) It shall be the primary responsibility of the faculty of the institution to establish criteria to be used by the Chancellor and committee for academic program evaluations and priorities. A decision to curtail or discontinue an academic program for reasons of financial emergency shall be made in accordance with the best interests of students and the overall ability of the institution to fulfill it's mission.

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

UWS 5.06 Recommendation to the system president and the board.

(1) If the Chancellor decides to recommend that the board declare a state of financial emergency for the Chancellor's institution, the recommendation to the system president and the board shall be accompanied by a report which shall include the following:

(a) A statement of the procedures followed in arriving at the recommendation, showing compliance with s. UWS 5.05;

(b) Data clearly demonstrating the need for a reduction of faculty positions in accord with the provisions of this chapter;

(c) An identification of the colleges, schools, departments or program areas in which reductions will be made, with data indicating the appropriateness of such choices;

(d) The report of the faculty committee, expressing its views on these matters; and

(e) A report of any action of the faculty senate or institutional equivalent on this matter.

(2) The Chancellor and the chairman of the faculty committee, or their designees, and representatives of affected colleges, schools, departments and programs, may appear before the board at the time the recommendation is considered. Other interested parties may submit in writing alternative recommendations or challenges to any part of the report.

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

UWS 5.07 Individual designations.

Once the board has declared a state of financial emergency it shall be the primary responsibility of the tenured members of the affected department(s) to recommend which individuals are to be laid off. These recommendations shall follow seniority, as provided in s. UWS 5.08, unless a clear and convincing case is made that program needs dictate other considerations, e.g., the need to maintain diversity of specializations within a department. The department may seek the advice of other groups or individuals in formulating its recommendations. The departmental recommendation shall be forwarded to the Chancellor, and the Chancellor shall prepare recommendations for the system president and the board, as provided in s. UWS 5.14.

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

UWS 5.08 Seniority.
The faculty of each institution shall promptly after February 1, 1975, determine the form of seniority that is to be considered. Such a determination shall be effective uniformly throughout the institution. Seniority may be, but is not limited to, the following definitions:

1. Without regard to rank, with seniority established by total years of service in the institution;
2. By rank, and within rank according to total years of service in the institution; or
3. By rank, and within rank, according to length of service in the institution at that rank.

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

**UWS 5.09 Notification.**

Each faculty member whose position is recommended for elimination shall receive prompt written notification from the Chancellor. This statement of notification shall include:

1. A summary of the reasons and evidence supporting the declaration of a state of financial emergency and of the reasons and data leading to the choice of the colleges, schools, departments or programs in which reductions are to be made;
2. A statement of the basis on which the individual position was selected for elimination (if on the basis of seniority, the criterion used and data supporting the choice; if on another basis, the data and reasons supporting that choice);
3. A statement of the date on which the layoff is to be effective (this must be consistent with the provisions of s. UWS 5.10); and
4. A copy of these rules and such other information or procedural regulations as the Chancellor or faculty hearing committee shall deem appropriate.

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

**UWS 5.10 Notification period.**

1. For an academic year appointment the effective date of layoff must coincide with the end of an academic year. For an annual appointment it shall be June 30. In either case notification must be given at least 12 months in advance of the effective date. The notification referred to here is that specified in s. UWS 5.09 informing the faculty member that his or her position has been recommended for elimination.
2. During this period, and prior to entering layoff status (see s. UWS 5.16), the Chancellor may offer as appropriate, and the faculty member may accept:
   a. Terminal leave and early retirement
   b. Relocation leave accompanied by resignation
3. Acceptance of either of these options will terminate the faculty members association with the University of Wisconsin System at the end of the leave period.

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

**UWS 5.11 Faculty hearing committee.**

The faculty of each institution shall, promptly after February 1, 1975, establish a committee or designate an existing committee to serve as a hearing committee for the purposes of this chapter. The committee shall consist of faculty members of the institution chosen by the faculty in a manner to be determined by the faculty. This standing faculty committee shall operate as the hearing agent for the board 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 its recommended findings of law and decision to the board according to s. UWS 5.14

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

**UWS 5.12 Review hearing.**

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A faculty member whose position is recommended for elimination is entitled to a hearing before the faculty hearing committee as to the appropriateness of the decision to lay off that particular individual. The existence of a state of financial emergency and the designation of the colleges, schools, departments or programs in which faculty positions are to be eliminated are not subject to review in the hearing.

A hearing must be requested within 20 days of the receipt by the faculty member of notification of recommended layoff. The request shall state with particularity the grounds to be relied upon in establishing the impropriety of the decision. Relevant information supplementary to that contained in the notification statement may be requested. The question to be considered in the review is whether one or more of the following improper factors entered into the decision to lay off:

(a) Conduct, expressions, or beliefs on the faculty member’s part which are constitutionally protected, or protected by the principles of academic freedom; or
(b) Factors proscribed by applicable state or federal law regarding fair employment practices; or
(c) Improper selection of the individual to be laid off. For the purposes of this section, “improper selection” occurs if material prejudice resulted from any of the following:
   1. The procedures required by rules of the faculty or board were not followed; or
   2. Available data bearing materially on the role of the faculty member in the institution were not considered; or
   3. Unfounded or arbitrary assumptions of fact were made; or
   4. Immaterial or improper factors other than those specified above entered into the decision.

The faculty member shall present evidence on whether one or more of the improper factors specified above entered into the decision to lay off. The committee 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 committee 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. The committee shall report this finding to the Chancellor and faculty member.

If the committee finds that a prima facie case has been established, the Chancellor or designee shall be entitled to present evidence to support the layoff decision, and, thereafter, the faculty member may present evidence in rebuttal. On the basis of all the evidence presented, the committee shall make its determination as follows:

(a) The committee shall first consider whether one or more of the above specified improper factors entered significantly into the decision to lay off. Unless the committee is convinced that such factors did significantly enter into that decision, the committee shall find the decision to have been proper.

(b) If the committee believes that improper factors may have entered into the decision, but is convinced that the same decision would have been reached had the error(s) not occurred, it shall find the decision to have been proper.

(c) If the committee is convinced that improper factors entered significantly into and affected the decision, it shall be found to be improper.

The committee shall report its findings and recommendations to the Chancellor and the faculty member.

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

UWS 5.13 Hearing procedure.

(1) If the faculty hearing committee requests, the Chancellor shall provide legal counsel to the committee. The hearing shall be closed unless the faculty member whose position has been recommended for elimination requests an open hearing, in which case it shall be open (see s. 66.77, Stats., Open Meeting Law).

(2) The faculty hearing 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 faculty hearing committee members disqualify...
themselves or are disqualified, the remaining members may select a number of other members of
the faculty equal to the number who have been disqualified to serve, except that alternative me-
thods of replacement may be specified in the rules and procedures adopted by the faculty estab-
lishing the standing committee under s. UWS 5.11. No faculty member who participated in the de-
cision to lay off or who is a material witness may sit in on the hearing committee.

(3) The faculty member shall be given at least 10 days notice of the hearing; such hearing shall be
held not later than 20 days after the request except that this time limit may be extended by mutual
consent of the parties or by order of the hearing committee.

(4) The faculty member shall have access to the evidence on which the administration intends to rely
to support the decision to lay off, and shall be guaranteed the following minimal procedural safe-
guards at the hearing:

(a) A right to be heard in his or her own behalf;
(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 the hearing, which might be a sound recording, provided at no cost;
(e) Written findings of fact and decision based on the hearing record; and
(f) Admissibility of evidence governed by s. 227.10, Stats.

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

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

UWS 5.14 Recommendations and review by the board.

The recommendations of the Chancellor and the recommendations, if any, of the faculty hearing commit-
tee, shall be transmitted to the president of the University of Wisconsin System and to the board and acted
upon as follows:

(1) If the faculty member has not requested a hearing before the faculty hearing committee, the rec-
ommendation shall be deemed proper and shall be reported for information to the system presi-
dent and the board.

(2) If the faculty member has requested a hearing and the faculty hearing committee has found the
decision to be proper, the report of the faculty hearing committee shall be forwarded to the system
president and board by the Chancellor with a recommendation (sic). The faculty member may re-
quest a review by the board, and the board review panel may at its option grant a review. Unless
the board review panel grants the request for review, the recommended findings of fact and deci-
sion of the standing faculty committee shall be the final decision of the board of regents.

(3) If after a hearing, the faculty hearing committee's recommended findings of fact and decision are
that the initial decision was improper, the Chancellor shall review the matter and give careful con-
sideration to the committee's finding. If the Chancellor accepts the committee's findings the
Chancellor's decision shall be final. If the Chancellor contests the recommended findings that the
decision was improper, the verbatim record, a summary of the evidence and the recommended
findings of law and decision shall be forwarded to the board review panel (see s. UWS 5.15). The
Chancellor and the faculty member shall be furnished with copies of this material and shall have a
reasonable opportunity to file written exceptions to such summary and proposed findings and de-
cision and to argue with respect to them orally and in writing before the board review panel. The
board review panel shall hear and decide the case in accordance with s. 227.12, Stats. The deci-
sion of the board review panel shall be final.

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

UWS 5.15 Board review.

A review panel shall be appointed by the president of the board of regents, and shall include 3 members
of the board, and 2 nonvoting staff members from the academic affairs office of the university system. The
panel shall review the criteria and reasoning of the Chancellor and the findings and recommendations of
the faculty hearing committee in each case forwarded for its review, and shall reach a decision on the recommendation to be approved. The decision shall be final and binding upon the Chancellor and the faculty member affected unless one or more of the regent members of the review panel request that the decision be reviewed by the full board of regents, in which case the record shall be reviewed and a decision reached by the full board.

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

UWS 5.16 Layoff status.

(1) A faculty member whose position has been eliminated or reduced in accordance with the provisions of this chapter shall, at the end of the appropriate notice period, be placed on layoff status, unless the layoff notice has been rescinded prior to that time.

(2) The faculty member whose notice period has expired, and who is placed on layoff status shall remain on layoff status until:

(a) For probationary faculty, the probationary appointment would have expired under its own terms;

(b) For tenured faculty, one of the following occurs:

1. Reappointment to the position from which laid off. Failure to accept such reappointment would terminate the faculty member’s association with the University of Wisconsin System.

2. Acceptance of an alternative continuing position in the University of Wisconsin System. Failure to accept an alternate appointment would not terminate the faculty member’s association with the University of Wisconsin System.

3. Resignation.

4. Failure by the affected faculty member to notify the Chancellor 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 faculty member’s association with the University of Wisconsin System.

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

UWS 5.17 Alternative employment.

Each institution shall devote its best efforts to securing alternative appointments within the institution in positions for which faculty laid off under this chapter are qualified under existing criteria. In addition, the University of Wisconsin System shall provide financial assistance for one year for faculty who are designated for layoff to readapt within the department or within another department of the institution, where such readaptation is feasible. Further, the University of Wisconsin System shall devote its best efforts to ensure that faculty members laid off or terminated in any institution shall be made aware of openings within the system.

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

UWS 5.18 Reappointment rights.

Each institution shall establish administrative procedures and policies to ensure that where layoff or terminations occur for reasons of financial emergency, no person may be employed at that institution within 3 years to perform reasonably comparable duties to those of the faculty member laid off or terminated without first offering the laid off or terminated faculty member reappointment without loss of tenure, seniority and other rights. The 3 year period shall be computed from the effective date of layoff as specified in the original notice.

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

UWS 5.19 Retention of rank and salary.

Any faculty member reappointed within 3 years after layoff or termination shall be reappointed with a rank and salary at least equivalent to the rank and salary when laid off or terminated, together with such other
rights and privileges which may have accrued at that time; any faculty member relocated within an institu-
tion or within the University of Wisconsin System shall not have either rank or salary adversely affected
except by consent at the time of relocation.

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

UWS 5.20 Rights of faculty members on layoff.

A faculty member on layoff status in accord with the provisions of this chapter has the reemployment
rights guaranteed by ss. UWS 5.18 and 5.19, and has the following minimal rights:

1. Such participation in fringe benefit programs as is allowed by state regulations governing rights of
   laid off state employees;
2. Such continued use of campus facilities as is allowed by policies and procedures established by
   the department and institution; and
3. Such participation in departmental and institutional activities as is allowed by guidelines estab-
   lished by the department and institution.

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

UWS 5.21 Systemwide tenure.

The commitment to Systemwide tenure within the former chapter 37 institutions shall be honored by those
institutions for those eligible under s. 36.13 (4), Stats., 1973 in the event of layoff or termination under the
provisions of this chapter.

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

UWS 5.22 Lack of faculty action.

If the faculty of an institution is given due notice of its rights and responsibilities under this chapter, and
does not act, the Chancellor may act as follows in lieu of the faculty action:

1. If a faculty committee provided for in s. UWS 5.04 is not established, the Chancellor may consult
   those members or representatives of the faculty he considers appropriate to satisfy the intent of s.
   UWS 5.05. All departments potentially involved shall be consulted and representatives of the fac-
   ulty may dispute the Chancellor’s recommendation for a state of financial emergency before the
   board.
2. If the faculty does not act to determine the form of seniority to be followed, the Chancellor may
   designate the form. Such designation shall be effective campus-wide and shall be made prior to
   the declaration by the board of a state of financial emergency.
3. If an affected department or program does not recommend individuals for layoff or termination fol-
   lowing declaration of a state of financial emergency, the Chancellor shall determine the individu-
   als to be affected, using such advice as is deemed of value.
4. If a faculty hearing committee provided for in s. UWS 5.11 is not established by the faculty, the
   Chancellor may appoint a committee of faculty members to provide this function.

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

FAC 8.A.2. Faculty Consultative Committee.

The Faculty Consultative Committee required in UWS 5.04 shall be the Executive Committee and the
Budget Committee of the Faculty Senate, acting jointly, with the President of the Faculty Senate as chair-
person. The Chancellor shall consult with this committee if at any time a declaration of financial emergen-
cy is to be considered. It is the right and responsibility of this committee to represent the faculty before the
Board if a declaration of a state of financial emergency for the institution is being considered, and to as-
sure that the procedures of UWS 5.05 and 5.06 are followed.


The definition of seniority required by UWS 5.08, to be effective uniformly throughout the institution, shall
be the years of continuous service at University of Wisconsin Oshkosh, without regard to rank. If no
breaks in service have occurred, time served as an academic staff member shall count towards seniority,
as shall time served in a limited appointment if the faculty member had a faculty or academic staff appointment prior to accepting the limited appointment. Leaves of absence shall count toward seniority. In the event two or more members of a unit have the same seniority, the date the original contract (of continuous service) was signed by the appointee shall be used to determine seniority. In the event the appointee did not sign a contract, the date to be used will be the date a University of Wisconsin Oshkosh administrator signed the contract. Part-time appointment dates shall be used only if the appointment date moved the individual toward tenure.

FAC 8.A.4. Faculty Hearing Committee.

The Faculty Hearing Committee required by UWS 5.11 shall be a subcommittee of the Faculty Senate Hearing Committee and shall operate under its established procedures, except that the procedures of UWS 5.12 and 5.13 shall apply and take precedence in any instance where they may be in conflict. This standing faculty committee shall operate as the hearing agent for the Board pursuant to Chapter 227, Wis. Stats., and conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence and transmit such record and summary along with its recommended findings of law and decision to the Board according to section UWS 5.14.


The Chancellor shall take formal action on the committee report described in UWS 5.12 (5) within twenty calendar days of receiving the report.


University of Wisconsin Oshkosh shall not employ another person, within a three-year period, to perform duties reasonably comparable to those of a faculty member laid off or terminated under the provisions of the chapter titled "Employment Separation" without first offering the laid off or terminated faculty member reappointment without loss of tenure, seniority and other rights. The three-year period shall be computed from the effective date of layoff as specified in the original notice.

FAC 8.A.7. Rights of Faculty Members on Layoff.

A faculty member on layoff status shall be entitled to: such participation in fringe benefit programs as is allowed by state regulations governing rights of laid off state employees; office space and secretarial assistance from the department or college whenever available; and governance rights provided by the Faculty Constitution.
Part B. Faculty Dismissal.


UWS 4.01 Dismissal for cause.

(1) Any faculty member having tenure may be dismissed only by the board and only for just cause and only after due notice and hearing. Any faculty member having a probationary appointment may be dismissed prior to the end of his/her term of appointment only by the board and only for just cause and only after due notice and hearing. A decision not to renew a probationary appointment or not to grant tenure does not constitute a dismissal.

(2) A faculty member is entitled to enjoy and exercise all the rights and privileges of a United States citizen, and the rights and privileges of academic freedom as they are generally understood in the academic community. This policy shall be observed in determining whether or not just cause for dismissal exists. The burden of proof of the existence of just cause for a dismissal is on the administration.

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

UWS 4.02 Responsibility for charges.

(1) Whenever the Chancellor of an institution within the University of Wisconsin System receives a complaint against a faculty member which he/she deems substantial and which, if true, might lead to dismissal under s. UWS 4.01, the Chancellor shall within a reasonable time initiate an investigation and shall, prior to reaching a decision on filing charges, offer to discuss the matter informally with the faculty member. A faculty member may be dismissed only after receipt of a written statement of specific charges from the Chancellor as the chief administrative officer of the institution and, if a hearing is requested by the faculty member, in accordance with the provisions of this chapter. If the faculty member does not request a hearing, action shall proceed along normal administrative lines but the provisions of ss. UWS 4.02, 4.09, and 4.10 shall still apply.

(2) Any formal statement of specific charges for dismissal sent to a faculty member shall be accompanied by a statement of the appeal procedures available to the faculty member.

(3) The statement of 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., were applicable. Such service by mailing and publication shall be effective as of the first insertion of the notice of statement of charges in the newspaper.

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

UWS 4.03 Standing faculty committee.

The faculty of each institution shall provide a standing committee charged with hearing dismissal cases and making recommendations under this chapter. This standing faculty committee shall operate as the hearing agent for the board 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 its recommended findings of law and decision to the board according to s. UWS 4.07.

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

UWS 4.04 Hearing.

If the faculty member requests a hearing within 20 days of notice of the statement of charges (25 days if notice is by first class mail and publication), such a hearing shall be held not later than 20 days after the request except that this time limit may be enlarged by mutual written consent of the parties, or by order of the hearing committee. The request for a hearing shall be addressed in writing to the chairperson of the standing faculty committee created under s. UWS 4.03.

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

UWS 4.05 Adequate due process.
(1) A fair hearing for a faculty member whose dismissal is sought under s. UWS 4.01 shall include the following:

(a) Service of written notice of hearing on the specific charges at least 10 days prior to the hearing;

(b) A right to the names of witnesses and of access to documentary evidence upon the basis of which dismissal is sought;

(c) A right to be heard in his/her defense;

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

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

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

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

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

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

UWS 4.06 Procedural guarantees.

(1) Any hearing held shall comply with the requirements set forth in s. UWS 4.05. The following requirements shall also be observed:

(a) The burden of proof of the existence of just cause is on the administration or its representatives;

(b) No faculty member who participated in the investigation of allegations leading to the filing of a statement of charges, or in the filing of a statement of charges, or who is a material witness shall be qualified to sit on the committee in that case;

(c) The hearing shall be closed unless the faculty member under charges requests an open hearing, in which case it shall be open (see s. 66.77, Stats., Open Meeting Law);

(d) The faculty hearing 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 faculty hearing committee members disqualify themselves or are disqualified, the remaining members may select a number of other members of the faculty equal to the number who have been disqualified to serve, except that alternative methods of replacement may be specified in the rules and procedures adopted by the faculty establishing the standing committee under s. UWS 4.03;

(e) The faculty hearing committee shall not be bound by common law or statutory rules of evidence and may admit evidence having reasonable probative value but shall exclude immaterial, irrelevant (sic), or unduly repetitious testimony, and shall give effect to recognized legal privileges;

(f) If the faculty hearing committee requests, the Chancellor 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 such other responsibilities as shall be determined by the committee within the provisions of the rules and procedures adopted by the faculty of the institution in establishing the standing faculty committee under s. UWS 4.03;

(g) If a proceeding on charges against a faculty member not holding tenure is not concluded before the faculty member’s appointment would expire, he/she may elect that such proceeding be carried to a final decision. Unless he/she so elects in writing, the proceeding shall be discontinued at the expiration of the appointment;

(h) If a faculty member whose dismissal is sought has requested a hearing, discontinuance of the proceeding by the institution is deemed a withdrawal of charges and a finding that the charges were without merit;
(i) Nothing in par. (h) shall prevent the settlement of cases by mutual agreement between the administration and the faculty member, with board approval, at any time prior to a final decision by the board;

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

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

UWS 4.07 Recommendations: to the chancellor: to the regents.

(1) The faculty hearing committee shall send to the Chancellor and to the faculty member concerned, as soon as practicable after conclusion of the hearing, a verbatim record of the testimony and a copy of its report, findings, and recommendations. The committee may determine that while adequate cause for discipline exists, some sanction less severe than dismissal is more appropriate. Within 20 days after receipt of this material the Chancellor shall review it and afford the faculty member an opportunity to discuss it. The Chancellor shall prepare a written recommendation within 20 days following the meeting with the faculty member, unless his/her proposed recommendation differs substantially from that of the committee. If the Chancellor’s proposed recommendations differ substantially from those of the faculty hearing committee, the Chancellor shall promptly consult the faculty hearing committee and provide the committee with a reasonable opportunity for a written response prior to forwarding his/her recommendation. If the recommendation is for dismissal, the recommendation shall be submitted through the president of the system to the board. A copy of the faculty hearing committee’s report and recommendations shall be forwarded through the president of the system to the board along with the Chancellor’s recommendation. A copy of the Chancellor’s recommendation shall also be sent to the faculty member concerned and to the faculty committee.

(2) Disciplinary action other than dismissal may be taken by the Chancellor, after affording the faculty member an opportunity to be heard on the record, except that, upon written request by the faculty member, such action shall be submitted as a recommendation through the president to the board together with a copy of the faculty hearing committee’s report and recommendation.

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

UWS 4.08 Board review.

(1) If the Chancellor recommends dismissal, the board shall review the record before the faculty hearing committee and provide an opportunity for filing exceptions to the recommendations of the hearing committee or Chancellor, and for oral arguments, unless the board decides to drop the charges against the faculty member without a hearing or the faculty member elects to waive a hearing. This hearing shall be closed unless the faculty member requests an open hearing (see s. 66.77, Stats., Open Meeting Law).

(2) If, after the hearing, the board decides to take action different from the recommendation of the faculty hearing committee and/or the Chancellor, then before taking final action the board shall consult with the faculty hearing committee and/or the Chancellor, as appropriate.

(3) If a faculty member whose dismissal is sought does not request a hearing pursuant to s. UWS 4.04 the board shall take appropriate action upon receipt of the statement of charges and the recommendation of the Chancellor.

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

UWS 4.09 Suspension from duties.

Pending the final decision as to his/her dismissal, the faculty member shall not normally be relieved of duties; but if, after consultation with appropriate faculty committees the Chancellor finds that substantial harm to the institution may result if the faculty member is continued in his/her position, the faculty member may be relieved immediately of his/her duties, but his/her salary shall continue until the board makes its decision as to dismissal.

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

UWS 4.10 Date of dismissal.
A decision by the board ordering dismissal shall specify the effective date of the dismissal.

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

FAC 8.B.2. Standing Faculty Committee.

A subcommittee of the Faculty Senate Hearing Committee will be charged with hearing dismissal cases and making recommendations according to the provisions of UWS 4.03. This subcommittee shall operate as the hearing agent for the Board pursuant to Chapter 227, Wis. Stats., and conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence and transmit such record and summary along with its recommended findings of law and decision to the Board according to UWS 4.07.
Part C. Dismissal of Faculty in Special Cases

FAC 8.C.1. UWS 7 (Procedures for Dismissal of Faculty in Special Cases) of the Wisconsin Administrative Code, Rules of the Board of Regents.

UWS 7.01 Declaration of policy.

University faculty members are responsible for advancing the university’s missions of teaching, research and public service. The fulfillment of these missions requires public trust in the integrity of the institution and in all members of the university community. The university’s effectiveness, credibility, and ability to maintain public trust are undermined by criminal activity that poses a substantial risk to the safety of others, that seriously impairs the university’s ability to fulfill its missions, or that seriously impairs the faculty member’s fitness or ability to fulfill his or her duties. Situations involving such serious criminal misconduct by faculty members must be addressed and resolved promptly to ensure that public trust is maintained and that the university is able to advance its missions. The board of regents therefore adopts the procedures in this chapter for identifying and responding to those instances in which a faculty member has engaged in serious criminal misconduct.

History: CR 06–078: cr. Register May 2007 No. 617, eff. 6–1–07.

UWS 7.02 Serious criminal misconduct.

(1) In this chapter, “serious criminal misconduct” means:

(a) Pleading guilty or no contest to, or being convicted of a felony, in state or federal court, where one or more of the conditions in par. (b), (c), (d) or (e) are present, and the felony involves any of the following:

1. Causing serious physical injury to another person.
2. Creating a serious danger to the personal safety of another person.
4. Theft, fraud or embezzlement.
5. Criminal damage to property.
6. Stalking or harassment.

(b) A substantial risk to the safety of members of the university community or others is posed.

(c) The university’s ability, or the ability of the faculty member’s colleagues, to fulfill teaching, research or public service missions is seriously impaired.

(d) The faculty member’s fitness or ability to fulfill the duties of his or her position is seriously impaired.

(e) The opportunity of students to learn, do research, or engage in public service is seriously impaired.

(2) Conduct, expressions, or beliefs which are constitutionally protected, or protected by the principles of academic freedom, shall not constitute serious criminal misconduct.

(3) Except as otherwise expressly provided, a faculty member who has engaged in serious criminal misconduct shall be subject to the procedures set forth in ss. UWS 7.03 to 7.06.

(4) Any act required or permitted by ss. UWS 7.03 to 7.06 be done by the chancellor may be delegated to the provost another designee pursuant to institutional policies approved the board of regents under s. UWS 2.02.

History: CR 06–078: cr. Register May 2007 No. 617, eff. 6–1–07.

UWS 7.025 Definition.

In this chapter, “consulting” means thoroughly reviewing and discussing the relevant facts and discretionary issues.

History: CR 06–078: cr. Register May 2007 No. 617, eff. 6–1–07.
UWS 7.03 Dismissal for cause.

(1) Any faculty member having tenure may be dismissed only by the board and only for just cause and only after due notice and hearing. Any faculty member having a probationary appointment may be dismissed prior to the end of his or her term of appointment only by the board and only for just cause and only after due notice and hearing.

(2) Just cause for dismissal includes, but is not limited to, serious criminal misconduct, as defined in s. UWS 7.02.

History: CR 06−078: cr. Register May 2007 No. 617, eff. 6−1−07.

UWS 7.04 Reporting responsibility.

Any faculty member who is charged with, pleas guilty or no contest to, or is convicted of a felony of a type listed in s. UWS 7.02 (1) (a), in state or federal court, shall immediately report that fact to the chancellor.

History: CR 06−078: cr. Register May 2007 No. 617, eff. 6−1−07.

UWS 7.05 Expedited process.

(1) Whenever the chancellor of an institution within the University of Wisconsin System receives a report under s. UWS 7.04 or other credible information that a faculty member has pleaded guilty or no contest to, or has been convicted of a felony of a type listed in s. UWS 7.02 (1) (a), in state or federal court, the chancellor shall:

(a) Within 3 working days of receipt of the report or information, inform the faculty member of its receipt and, after consulting with appropriate institutional governance representatives, appoint an investigator to investigate the report or information and to advise the chancellor as to whether to proceed under this section or ch. UWS 4.

(b) Upon appointing an investigator and notifying the faculty member, afford the faculty member 3 working days in which to request that the investigator be disqualified on grounds of lack of impartiality or other cause. In the event that the chancellor determines that a request for disqualification should be granted, the chancellor shall, within 2 working days of the determination, appoint a different investigator. The faculty member shall have the opportunity to request that any second or subsequent investigators be disqualified on grounds of lack of impartiality or other cause.

(2) The investigator shall complete and file a report with the chancellor not later than 10 working days following the investigator’s appointment.

(3) Within 3 working days of receipt of the investigator’s report, the chancellor shall consult with appropriate institutional governance representatives and decide whether to seek dismissal of the faculty member pursuant to this chapter, to seek dismissal of the faculty member pursuant to ch. UWS 4, to seek an alternative disciplinary sanction, or to discontinue the proceedings. The charges shall be served on the faculty member in the manner specified in s. UWS 4.02 (3).

(a) If the chancellor decides to seek dismissal of the faculty member pursuant to this chapter, the chancellor shall file charges within 2 working days of reaching the decision.

(b) If the chancellor decides to seek dismissal of the faculty member pursuant to ch. UWS 4, the chancellor shall file charges and proceed in accordance with the provisions of that chapter and implementing institutional policies. If, during the course of such proceedings under ch. UWS 4, the chancellor receives a report under s. UWS 7.04 or other credible information that the faculty member has pleaded guilty or no contest to or has been convicted of a felony of a type listed in s. UWS 7.02 (1) (a), and one or more of the conditions listed in s. UWS 7.02 (1) (b) through (e) are present, the chancellor may, at that point, elect to follow the procedures for dismissal pursuant to this chapter.

(c) If the chancellor decides to seek an alternative disciplinary sanction, the procedures under ch. UWS 6, and implementing institutional policies, shall be followed.

(4) If charges seeking dismissal are filed under sub. (3) (a), the faculty member shall be afforded a hearing before the institutional standing committee charged with hearing dismissal cases and
making recommendations under s. UWS 4.03. The hearing shall provide the procedural guarantees enumerated under ss. UWS 4.05 to 4.06, except that the hearing shall be concluded, and written findings and a recommendation to the chancellor shall be prepared, within 15 working days of the filing of charges.

(5) (a) Within 3 working days of receipt of the findings and recommendation of the committee under sub. (4), the chancellor shall prepare a written recommendation on the matter.

(b) If the recommendation is for dismissal, the chancellor shall transmit it to the board for review.

(c) Disciplinary action other than dismissal may be taken by the chancellor, whose decision shall be final, unless the board at its option grants a review on the record at the request of the faculty member.

(6) Upon receipt of the chancellor’s recommendation, the full board shall review the record before the institutional hearing committee, and shall offer an opportunity for filing exceptions to the recommendation, and for oral argument. The full board shall issue its decision on the matter within 15 working days of receipt of the chancellor’s recommendation.

(7) If a faculty member whose dismissal is sought under sub. (3) (a) does not proceed with the hearing before the institutional hearing committee as provided in sub. (4), the board shall take appropriate action within 10 working days of receipt of the statement of charges and the recommendation of the chancellor.

(8) The burden of proving just cause in this chapter shall be clear and convincing evidence.

(9) The chair of the faculty hearing body, subject to the approval of the chancellor, may extend the time limits set forth in this section if the parties are unable to obtain, in a timely manner, relevant and material testimony, physical evidence or records, or where due process otherwise requires.

History: CR 06–078: cr. Register May 2007 No. 617, eff. 6–1–07.

UWS 7.06 Temporary suspension without pay.

1) The chancellor, after consulting with appropriate faculty governance representatives, may suspend a faculty member from duties without pay pending the final decision as to his or her dismissal where:

(a) The faculty member has been charged with a felony of a type listed in s. UWS 7.02 (1) (a) and the chancellor, after following the provisions of s. UWS 7.05 (1) through (3), finds, in addition, that there is a substantial likelihood that one or more of the conditions listed in s. UWS 7.02 (1) (b) through (e) are present, and 2) that the faculty member has engaged in the conduct as alleged; or

(b) The faculty member is unable to report for work due to incarceration, conditions of bail or similar cause; or

(c) The faculty member has pleaded guilty or no contest to or been convicted of a felony of a type listed in s. UWS 7.02 (1) (a) and one or more of the conditions listed in s. UWS 7.02 (1) (b) through (e) are present.

2) If the chancellor finds that the conditions in sub. (1) are present, he or she shall immediately notify the faculty member, in writing, of the intent to impose a suspension without pay, and shall, within 2 working days, provide the faculty member with an opportunity to be heard with regard to the matter. The faculty member may be represented by counsel or another at this meeting.

3) If, after affording the faculty member the opportunity to be heard, the chancellor determines to suspend without pay, the chancellor shall inform the faculty member of the suspension, in writing. The chancellor’s decision to suspend without pay under this section shall be final, except that:

(a) If the chancellor later determines that the faculty member should not be dismissed, the chancellor may discontinue the proceedings, or may recommend a lesser penalty to the board, and, except as provided in par. (c), shall order the payment of back pay for any period of the suspension for which the faculty member was willing and able to report for work.
(b) If the board later determines that the faculty member should not be dismissed, the board may order a lesser penalty and shall order the payment of back pay for any period of the suspension for which the faculty member was willing and able to report for work.

(c) If the chancellor or board later determines, under par. (a) or (b), to recommend or impose as a lesser penalty the suspension of the faculty member without pay, then any period of suspension without pay so recommended or ordered shall be offset by the period of any suspension without pay actually served by the faculty member.

4) If, after affording the faculty member the opportunity to be heard, the chancellor determines that the conditions in sub. (1) are not present or that a suspension without pay is otherwise not warranted, the provisions of s. UWS 4.09 shall apply.

History: CR 06−078: cr. Register May 2007 No. 617, eff. 6−1−07.
Part D. Other Separations.


Unclassified employees intending to resign from the University should address a letter of resignation to the Provost and Vice Chancellor, and forward it via each supervisor. The letter should include the effective date of the resignation and each supervisor should initial the letter and comment, if desired. A Personnel Transaction Form (PTF) shall be completed by the supervisor and forwarded along with the resignation letter to the Associate Vice Chancellor. The Provost and Vice Chancellor will issue the official response for the University to the individual.

It is expected letters of resignation will be filed as far in advance as possible of the planned termination date so that the University can meet its professional commitments and provide for the educational needs of students.


Participation in the Wisconsin Retirement System is mandatory for all persons in an ongoing position except those on leave from out-of-state universities who are visiting the University for one year or less or citizens of foreign countries who have an "F" or "J" visa. Employee contribution to the Wisconsin Retirement System is five percent of gross salary. A matching employer contribution is made by the university. Employees are immediately vested in the Wisconsin Retirement System. Separation benefits of employee contribution are available to those who leave state employment prior to age 55. Retirement benefits are available to those who leave state employment at age 55 or later. Details are available in the Human Resources Office.
Faculty Chapter Nine
Reviewing Faculty Concerns

Part A. Faculty Ombudsperson

FAC 9.A.1. Role of Ombudsperson

The faculty ombudsperson acts as a neutral agent to enhance communication, to clarify possible misunderstandings, to advise faculty members about potential courses of action to pursue, and to work to remediate conflicts.


The ombudsperson will be a tenured or emeritus faculty member appointed by the Faculty Senate Executive Committee for a three year renewable term. Full description of and application for the ombudsperson position are available in the Faculty Senate office. The ombudsperson can be removed from the position at any time by the Faculty Senate Executive Committee.

FAC 9.A.3. Principles:

1) The ombudsperson will function independently of all university offices and will promote the value of fairness, equity, justice and mutual respect.
2) The ombudsperson will assist in resolving concerns or problems related to issues of faculty rights and responsibilities.
3) To the extent permitted by law, conversations with the ombudsperson will be kept confidential except where there appears to be imminent risk of serious harm, where harassment or other illegal activity may be involved, and where there is no reasonable option.
4) Meeting with the ombudsperson is an informal and off-the-record process; and as such the ombudsperson will not become involved with the normal operations of the grievance or complaint process or disciplinary procedures.

FAC 9.A.4. Duties:

1) (a) In cases of conflict between faculty members and students or non-faculty campus personnel, the ombudsperson will advise and advocate for the fair representation of faculty members’ rights and concerns.
2) (b) In cases of conflict between individual faculty members, the ombudsperson will serve as an impartial facilitator and neutral agent representing neither the university administration nor any individual.
3) In both cases (a) and (b) above, act as a confidential and informal resource for information.
4) Direct faculty to appropriate offices, committees, and university rules, grievance procedures and policies.
5) Foster communication between members of the campus community.
6) Assure that appropriate department, college, and/or campus procedures are exhausted before referring the case to higher levels.
7) File an annual report with the Faculty Senate Executive Committee outlining the number of cases, the types of issues raised and the positions involved (not specific cases), making recommendations for changing processes to make them more effective, and evaluating the operation of the Ombudsperson role.
Part B. Faculty Senate Hearing Committee.

FAC 9.B.1. Faculty Hearing Committee.

The Faculty Senate shall establish a standing Faculty Hearing Committee comprised of all tenured faculty members.

FAC 9.B.2. Formation of Faculty Hearing Subcommittees.

The chairperson of the Faculty Hearing Committee will select by random procedure subcommittees of five members for the purposes of considering individual cases. The chairperson of the Faculty Hearing Committee will select by random procedure one affirmative action representative to serve on each hearing subcommittee. Affirmative action representatives are non-voting members of the hearing subcommittee. Such subcommittees will be selected as soon as possible by the committee chair during periods when the University is in session.

1. Members of the Faculty Senate Hearing Committee shall be identified as the tenured members of the University faculty who do not hold limited appointment. This designation shall be made by the Executive Committee of the Faculty Senate at the beginning of the Fall term in each academic year.

2. At the beginning of the Fall term, the Council for Equity and Affirmative Action shall forward a list of 6 tenured faculty to serve as affirmative action representatives to hearing subcommittees. They shall be nominated from among the tenured members of the University faculty who do not hold limited appointment and who have specific training in affirmative action matters. Nominations shall be made by the Council for Equity and Affirmative Action and forwarded to the Faculty Senate Executive Committee. The Faculty Senate Executive Committee shall submit these nominations to the Faculty Senate for confirmation and announce the affirmative action representatives of the Faculty Hearing Committee to the university community.

3. The Faculty Senate Executive Committee shall propose to the Senate for ratification a chairperson and a vice chairperson from among the tenured faculty. They will serve for a three-year, staggered term with the first person appointed as vice chair serving for only two years. The chairperson of the Faculty Hearing Committee shall not serve as member of any new hearing subcommittee, but shall complete service on an existing committee.

4. Upon the formation of a subcommittee to consider an individual case, the chairperson of the Faculty Hearing Committee shall appoint the subcommittee chairperson from among its members. An affirmative action representative may not serve as subcommittee chairperson.

5. If, through attrition, the number of available affirmative action representatives should fall below three members, the Council for Equity and Affirmative Action shall nominate immediately sufficient additional members to bring the number of available representatives to full strength. The new representatives shall be selected as outlined above.

6. After selection, affirmative action representatives shall serve for terms of one year duration. Notwithstanding, affirmative action representatives shall be expected to complete service on existing subcommittees, irrespective of their term of appointment.

7. No member of the Faculty Hearing Committee or affirmative action representative shall serve simultaneously on more than one subcommittee hearing individual cases. No individual shall serve in the dual role as subcommittee member and affirmative action representative on a hearing subcommittee.


If a hearing is determined to be necessary, all subcommittees shall operate in a manner consistent with the general procedural requirements listed in this session. Additional procedural requirements for hearing cases of various kinds shall be imposed as indicated in the several chapters of this document. Minimal requirements to guarantee adequate due process and to assure procedural uniformity are as follows:

1. At the request of the Faculty Hearing Subcommittee and with the concurrence of the Chancellor, the University shall provide legal counsel to the subcommittee. All parties shall be notified if the subcommittee is to be provided legal counsel.
(2) The faculty member concerned shall be assured of a fair hearing, which shall include the right to present testimony in his/her behalf, the right to offer witnesses, the right to cross examine adverse witnesses, and the right to be counseled and/or represented by any persons of choice. [In cases where there are multiple counselors/representatives, the committee may restrict discussion of such major issue to a single counselor. Determination of whether more than one counselor/representative should address an issue should be a procedural unappealable determination of the committee.]

(3) The role of the affirmative action representative is to be the proponent of affirmative action and equal opportunity principles during subcommittee hearings and deliberations. It is not the role of the affirmative action representative to be an advocate for any party directly involved in the hearing.

(4) If the hearing concerns personnel decisions, the department or functional equivalent of the faculty member concerned shall be consulted and shall have the opportunity to present evidence or testimony through the department chairperson or other representative.

(5) The following applies except in cases of layoff governed by UWS 5.12(2) or dismissal governed by UWS 4.06(1)d. Either party in that hearing may request the disqualification of any member of the hearing subcommittee or affirmative action representative for cause. The request, together with a statement of the cause for disqualification shall be submitted in writing to the chairperson of the Faculty Hearing Committee. If the request is to remove a subcommittee member the decision will be made by the chairperson of the Faculty Hearing Committee in consultation with the chairperson of the Council for Equity and Affirmative Action. If the request is to remove an affirmative action representative the decision will be made by the chairperson of the Council for Equity and Affirmative Action in consultation with the chairperson of the Faculty Hearing Committee. If the request is honored, the chairperson of the Faculty Hearing Committee shall designate a replacement unless in his/her opinion the dismissal occurs after a significant portion of the hearing has taken place. In that event, the remaining members of the subcommittee shall continue to hear the case.

(6) No faculty member who participated in initiating, formulating, investigating or filing allegations or charges or who is a member of the concerned faculty member’s department or equivalent or who is a material witness shall be qualified to sit on a hearing committee or to serve as affirmative action representative.

(7) Hearings shall be subject to State of Wisconsin Open Meetings Laws.

(8) A tape recording or other verbatim record shall be made of all formal hearings. Upon written request to the Chancellor, copies of such records of all open hearings shall be made available at no cost to the faculty member. The university shall bear the cost of preparing any record.

(9) All hearings of the subcommittee shall be on the record.

(10) The subcommittee shall have free access to any documentary evidence it believes to be pertinent, including public records, personnel files of the faculty member, and official documents specifically requested by the subcommittee and shall have the right to summon such witnesses as necessary to assure a fair hearing.

(11) The Faculty Senate President, Chairperson of the Hearing Committee, and Chancellor shall assist subcommittees in obtaining such witnesses and such documents as are required for the proper conduct of hearings.

(12) The hearing subcommittee shall not be bound by common law or statutory rules of evidence and shall follow rules and procedures contained in the most current edition of Sturgis’ Standard Code of Parliamentary Procedure. The subcommittee may admit evidence having reasonable probative value but shall exclude immaterial, irrelevant or unduly repetitious testimony, and shall give effect to recognized legal privileges.

(13) The faculty member appealing a decision will have access at least 10 days before the deadline for filing the appeal to all specifically identified documents on the basis of which the adverse decision being appealed was made.
Part C. Faculty 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.

FAC 9.C.1. UWS 6.01 {Complaints} of the Wisconsin Administrative Code, Rules of the Board of Regents.

UWS 6.01 Complaints.

The faculty of each institution, with the approval of the Chancellor, shall establish rules and procedures to deal with allegations by the administration, students, academic staff members, other faculty members, classified staff members, or members of the public concerning conduct by a faculty member which violates university rules or policies, or which adversely affects the faculty member’s performance of his/her obligation to the university but which allegations are not serious enough to warrant dismissal proceedings under ch. UWS 4. Such rules and procedures shall include, but not necessarily be limited to, the following:

(1) Review of and administrative action on the complaint by the Chancellor. Administrative action may include dismissing the complaint, invoking an appropriate disciplinary action, or referring the complaint to the standing faculty committee created under sub. (2).

(2) Provision for a hearing before a standing faculty committee selected by the faculty of each institution in such manner as they shall determine. Such hearing shall be held at the request of the Chancellor or, if the Chancellor invokes a disciplinary action, at the request of the faculty member concerned.

(3) Guarantee of adequate due process to include, but not limited to, written notification of the complaint, fair and complete hearing procedures, written statement of findings, transmittal of findings to the faculty member involved and appropriate administrative officials within a reasonable period of time, and prohibition of further jeopardy for the same alleged misconduct after a final decision.

(4) Delineation of the powers of the faculty committee to make recommendations to the Chancellor concerning disciplinary action, to recommend dismissal of the complaint, or to recommend referral of the complaint to the appropriate department or administrative officer.

(5) The decision by the Chancellor on the recommendations of the committee, or on the complaint in the absence of committee recommendation, shall be final except that the board at its option might grant a review on the record.

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


A formal complaint expresses an objection to perceived misconduct and seeks disciplinary action against the offender. The purpose of this procedure is to provide a means by which administrators, students, academic staff members, other faculty members, classified staff members or members of the general public may bring a complaint against the conduct of a faculty member.

FAC 9.C.3. Complaints Against Faculty Members.

Complaints may be brought against faculty members for conduct which violates university rules or policies or which adversely affects the faculty member’s performance of his/her obligation to the university but which allegations are not serious enough to warrant dismissal proceedings under UWS 4. The Chancellor shall determine after receiving the complaint whether it is to be considered under this part or the section of these rules titled “Faculty Dismissal.”

(1) Form of a Complaint.

Complaints shall be written and signed by the complainant. They shall identify the acts which allegedly violate university rules or policies or breach the faculty member’s obligations, and they shall specify the rules or policies which have allegedly been violated or the obligations allegedly breached.
(2) Complaint Procedures.

(a) Upon receiving a complaint the Chancellor shall determine whether it warrants further consideration. If the Chancellor decides to reject the complaint at this stage, he or she shall so notify the complainant and shall explain the reasons why the complaint has been rejected. If the Chancellor decides to accept the complaint, he or she shall send a copy of the complaint to the faculty member it names and shall request a written response to the complaint within ten working days.

(b) Upon receipt of the faculty member’s response or after ten working days have passed without a response, the Chancellor may dismiss the complaint or initiate a formal review of it. In the formal review, if any, the Chancellor shall examine all pertinent documents and interview all persons likely to have knowledge about the conduct in question and in general shall afford both the complainant and the respondent full and fair opportunity to show why the complaint should be prosecuted further or dropped. The Chancellor may appoint a designate to carry out the formal review and recommend appropriate action upon the complaint.

(c) Within twenty working days of initiating a formal review, the Chancellor shall take one of the following actions on the complaint and shall inform both the complainant and the respondent of the action:

1. Dismissal of the complaint;
2. Invocation of a sanction against the respondent; or
3. Referral to the Faculty Hearing Committee.

(d) If the complaint is dismissed, the faculty member shall not be subjected to further jeopardy for the same alleged misconduct.

(e) If the Chancellor invokes a sanction, he/she shall inform the faculty respondent of the reasons for his/her decision.

(f) If there is administrative disciplinary action, this may include sanctions such as:

1. Oral admonishment
2. Written reprimand
3. Requirement for restitution
4. Suspension of specific privileges
5. Reduction in salary; or
6. Reduction in rank

(g) Before invoking any sanction, the Chancellor will consult with the Executive Committee of the Faculty Senate about the appropriateness of the proposed sanction. If the Executive Committee and the Chancellor disagree about the appropriateness of the sanction, the Chancellor will inform the committee in writing of his/her reasons for thinking the proposed sanctions appropriate.

(h) Sanctions shall be subject to review by the Faculty Hearing Committee, upon request by the faculty member. If the Chancellor rejects the recommendations of the hearing subcommittee, he or she shall provide the subcommittee and the Executive Committee of the Faculty Senate with a written statement of his/her reasons for rejecting the findings of the hearing subcommittee.

(i) Within ten working days of receiving notice from the Chancellor of administrative invocation of disciplinary action, the faculty member may file a request for review by the Faculty Hearing Committee. Should such a review be requested, the implementation of the administrative sanction shall be stayed pending the final decision by the Chancellor after receipt of the recommendation of the hearing subcommittee.

(j) If the Chancellor refers a complaint to the Faculty Hearing Committee, or if the faculty member requests such referral after administrative invocation of disciplinary action, the subcom-
committee shall follow the procedures outlined in the subchapter titled “Faculty Senate Hearing Committee.” Normally, the hearing shall be completed within thirty working days. If the hearing committee is required by extenuating circumstances to extend the hearing beyond thirty days, it shall file with the chairperson of the Faculty Hearing Committee and the president of the Faculty Senate a statement of the reasons why it must extend the timeliness for the hearing and a tentative timetable for completing its hearing on the complaint.

(k) The findings and recommendations of the hearing subcommittee shall be transmitted to the faculty member, the complainant, and the Executive Committee of the Faculty Senate for submission to the Chancellor. The hearing subcommittee shall recommend to the Chancellor either dismissal of the complaint, specified disciplinary action such as indicated in section (f), above, or referral to a department or administrative officer for appropriate action.

(l) The Chancellor shall render a formal, written decision to the faculty member, the complainant, appropriate university officers and, for information only, to the Executive Committee of the Faculty Senate within ten working days of receipt of the recommendation from the Executive Committee. If the Chancellor fails to accept the recommendations of the hearing subcommittee, he or she shall provide the subcommittee, the chairperson of the Faculty Hearing Committee, the Executive Committee, and the principals in the complaint with a written rationale for rejecting the subcommittee’s recommendations.

(m) At the request of the faculty member, the Board of Regents, at its option, may choose to grant a review of the decision on the record.
Part D. Faculty Grievances.

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.


UWS 6.02 Grievances.

The faculty of each institution shall designate a committee or other appropriate faculty body to hear faculty grievances under rules and procedures established by the faculty of the institution in conjunction with the Chancellor. The committee or faculty body shall have the power to conduct hearings and fact-finding related to the grievance and to recommend solutions to the grievance to the Chancellor. If the committee or other body makes recommendations to the Chancellor, the Chancellor shall act on the recommendations within 30 days. The decision by the Chancellor on the recommendation of the committee, or on the grievance in the absence of committee recommendation, shall be final except that the board, upon petition of a grievant or the committee or other faculty body, may grant a review on the record.

History: Cr. Register, January, 1975, No. 229, eff. 2-1-75; am. Register, April, 1989, No. 400, eff. 5-1-89.


(1) 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. Any grievance in the first sense may be the subject of a formal grievance unless it is a reaction to substantive academic judgments made in the course of evaluating faculty for renewal, tenure, promotion, salary adjustments or other such personnel decisions.

(2) As a formal statement, a grievance differs from a complaint in focusing upon the undue effects experienced by the grievant rather than upon the alleged misconduct of another and in seeking relief for the grievant rather than punishment for an offender.


(1) An aggrieved faculty member shall seek to eliminate the cause of the grievance by informal means, via discussion or consultation or an exchange of correspondence. If the informal effort fails to resolve the problem to the satisfaction of the faculty member, he or she may file a written grievance containing the information described in FAC 9C.4., below. Two or more faculty members with identical grievances may file the formal grievance jointly.

Formal grievances should normally be filed with the Dean of the aggrieved faculty member’s college. If a grievance concerns actions of the Dean or other administrators who report to the Vice Chancellor, the grievance shall be filed with the Provost and Vice Chancellor. If the grievance concerns actions of the Provost and Vice Chancellor or other administrators who report to the Chancellor, it shall be filed with the Chancellor.

A formal grievance must be filed within sixty calendar days of the date upon which the grievant became aware of the action(s) or condition(s) being grieved, unless the time for filing is extended by the agreement of all parties to the grievance. The amount of time consumed by informal efforts to resolve problems or by college or departmental grievance procedures shall not affect the deadline for filing a formal grievance under this chapter.

(2) All grievances shall undergo administrative review, as follows. Within ten working days after receiving a written grievance, the administrator or his/her designee shall initiate a review of the grievance, interviewing all persons thought to be knowledgeable about the grievance and examining all pertinent documents. The person conducting the review shall then prepare a formal written response to each specification of the grievance and shall forward his/her response, together with copies of all documents considered during the review, to the grievant and to all persons whose actions have been grieved and to the chairperson of the Faculty Hearing Committee. The formal response shall be submitted within thirty days after the review has begun unless the deadline is extended by mutual agreement of the grievant and the administrator responsible for the review.
(3) If the administrative review fails to resolve the problem to the satisfaction of the grievant, the grievant may file a request for review by the Faculty Hearing Committee. If the request follows administrative review, it must be filed within ten working days after the grievant has received notice of the results of the administrative review.

Following the procedures outlined in the sub-chapter titled "Faculty Senate Hearing Committee," the chairperson of the Faculty Hearing Committee shall convene a subcommittee of five faculty members who shall review the grievance and within ten working days determine if there exist sufficient grounds for a hearing. If the subcommittee decides to deny the grievant a hearing, its chairperson shall inform the grievant in writing of the reasons for the denial and shall distribute copies of its rationale to the Chancellor and other parties to the grievance. If the subcommittee decides that a hearing is warranted, it shall conduct its hearing in accord with the procedures outlined in the sub-chapter titled "Faculty Senate Hearing Committee." It shall complete its hearing within thirty working days unless because of extenuating circumstances the deadline is extended by mutual agreement of the grievant and the chairperson of the subcommittee or by order of the subcommittee. At the conclusion of the hearing, the subcommittee shall transmit its findings and recommendations to the grievant and to other parties to the grievance and to the Executive Committee of the Faculty Senate for submission to the Chancellor.

(4) Within thirty days after receiving the recommendations of the hearing subcommittee, the Chancellor shall render a formal, written decision on the grievance. Copies of the Chancellor's decision shall be sent to the grievant, other parties to the grievance, the members of the hearing subcommittee, and the Executive Committee of the Faculty Senate.

**FAC 9.D.4. Required Form for the Presentation of Grievances.**

(1) A description of the acts or conditions which gave rise to the grievance and the dates upon which the acts or conditions occurred or were made known.

(2) An explanation of the ways in which the acts or conditions constitute unfair treatment or violation of rights or otherwise are injurious to the grievant.

(3) Evidence to support the statements in a and b above.

(4) A statement of the relief sought by the grievant.

(5) An account of the informal efforts undertaken to remedy the grievance and an explanation of why the grievant considers the efforts to have been unsuccessful.

**FAC 9.D.5. Records.**

All documents submitted in support of a grievance shall become part of the permanent record, and shall accompany the grievance through all steps of consideration.
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 determination 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

<table>
<thead>
<tr>
<th>Type of Contract</th>
<th>Duration</th>
<th>Eligibility (required years of service)</th>
<th>Clearly Stated Ending Date</th>
<th>Notice of Renewal or Nonrenewal</th>
<th>Evaluation Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terminal</td>
<td>1-3 years</td>
<td>0</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Renewable</td>
<td>1 year</td>
<td>0</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Renewable</td>
<td>2-3 years</td>
<td>3-5 (see above)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Rolling-Horizon</td>
<td>2-3 years</td>
<td>3-5 (see above)</td>
<td>Yes</td>
<td>No; automatically extended each year unless administrative action is taken</td>
<td>Yes</td>
</tr>
</tbody>
</table>

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 designee 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 posi-
tion’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 pro-
cesses 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 rel-
evant 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 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 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:

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

*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).


(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.


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 con-
ference 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 design-
eree, 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 simulta-
neously 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 reconsidera-
tion meeting. In this instance, the supervisor receiving that report will then hold a recon-
sideration 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 designee 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 as-
signed 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 direc-
tor. 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 Di-
rector 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 di-
recting the administrative and policy development and implementation endeavors of a ma-
jor 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 second-
ary 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 develop-
ment 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 re-
sponsibility 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)] shall 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 re-
view committee.

c) The Titling Committee shall, to the extent possible, schedule their meeting within 21 cal-
endar 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 associat-
ed with any reconsideration request. The Titling Committee will not seek or hear oral testi-
mony 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 Assis-
tant/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.
ACS 12.0. Introduction.

The Associate Vice Chancellor, the Human Resources Director, and the Director of Equity and Affirmative Action will annually undertake salary equity reviews following salary administration and may initiate a request for a salary change for any academic staff member with his/her consent. For instructional academic staff, salary equity review also can be requested either by the supervisor or by the academic staff member. The salary of an academic staff member may be increased outside the salary administration process without having the position title changed and the position placed in a higher salary grade. Based on the provisions of Unclassified Personnel Guideline No. 4, this type of adjustment will be made only in very exceptional circumstances in order to correct a special salary inequity. A salary equity review shall be based on the merits of each individual case. Recommendations and decisions related to a salary equity review should be based on equity issues. The fiscal position of the University is important in the consideration of salary equity cases but should not be the single determining factor.

ACS 12.1. Procedure Instructional Academic Staff.

(1) A salary equity review must be requested in writing with sufficient documentation provided to support the request. It is recommended that at a minimum, the following information be supplied (a) A narrative which includes the basis for requesting a salary review and an employment history. (b) A salary history. (c) Salary comparisons within University of Wisconsin Oshkosh title group/salary grade. The academic staff member may also add market comparison data, including regional, national and peer-based information and a supply and demand analysis. The staff member's supervisor, the Associate Vice Chancellor, and the Director of Equity and Affirmative Action shall help the individual clarify these data if asked by the staff member.

(2) The request for a salary equity review shall be submitted by the academic staff member to the supervisor.

(3) The supervisor shall consult with the Director of Equity and Affirmative Action and the Associate Vice Chancellor in order to obtain their advice or recommendation.

(4) The supervisor shall then forward the request to the next level of reportage and include a written recommendation (positive, negative or neutral), reasons for his/her recommendation and supporting documentation, including the academic staff member’s previous years’ merit ratings, not to exceed five years.

(5) The supervisor shall also send these materials to the Associate Vice Chancellor or the Human Resources Director and the Director of Equity and Affirmative Action who will add their recommendations and reasons for those recommendations and forward all supporting documentation to the next level of review following lines of reportage.

(6) When the review reaches the Provost and Vice Chancellor or Human Resources Director, he/she shall review the case, taking into consideration all supporting documentation and all recommendations from each level of review, and make a decision regarding the dispensation of the case. He/she shall notify the academic staff member in writing of his/her decision and the reasons for that decision. This information shall also be sent to the Chancellor. If the academic staff member disagrees with the decision, the academic staff member shall have ten calendar days to request in writing a review by the Chancellor. If no request for review is made, the decision of the Provost and Vice Chancellor or Human Resources Director is final.
(7) If a request for review is made, the Chancellor shall consider all supporting documentation and
recommendations from each level of review and make a decision within 21 calendar days of receiving
the request. The Chancellor shall notify all concerned parties of his/her decision in writing.

ACS 12.2. Procedure Professional-Administrative Academic Staff

(1) Professional-administrative academic staff with full-time equivalency (FTE) of .5 or greater be-
come eligible for salary equity every four years. The Office of Human Resources shall consult
with the Office of Institutional Research to determine who is eligible in a given year. Individu-
als with a fixed-term terminal contract should not interpret a salary equity adjustment as an in-
dication an additional contract is forthcoming.

(2) The Office of Human Resources shall notify eligible employees, their supervisor, Dean (where
appropriate), and Vice Chancellor of the academic staff member’s eligibility.

(3) Eligible academic staff who wish to be considered for salary equity must submit a written re-
quest indicating the basis for salary equity review. Academic staff may include salary compar-
isons from the same salary grade within the University of Wisconsin Oshkosh, UW System
and market comparison data.

(4) The Associate Vice Chancellor for Academic Affairs, the Director of Equity and Affirmative A-
ction and the Director of Human Resources will provide a recommendation and all materials
used in developing the recommendation to the Vice Chancellor of the division. Copies of the
recommendation will be provided to the employee’s line of reportage.

(5) The Vice Chancellor of each division shall develop a recommendation for each employee re-
questing equity in their division. Each Vice Chancellor shall consider recommendations from
the line of reportage (including Deans) for each employee.

(6) The Vice Chancellors shall collectively consider each recommendation, make a decision as to
the request and notify the employee and their supervisor of the decision.

(7) The Vice Chancellors shall notify the Office of Human Resources of each decision. The Office
of Human Resources will complete processing equity adjustments.

(8) If the professional-administrative academic staff member disagrees with the decision of the
Vice Chancellors, the academic staff member shall have ten calendar days to request in writ-
ing a review by the Chancellor. If no request for review is made, the decision of the Vice
Chancellors is final.

(9) If a request for review is made, the Chancellor shall consider all supporting documentation
and recommendations from each level of review and make a decision within 21 calendar days
of receiving the request. The decision of the Chancellor is final. The Chancellor shall notify
all concerned parties of his/her decision in writing.
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.

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.


(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.

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

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-
(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


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.

<table>
<thead>
<tr>
<th>Grievance</th>
<th>Complaint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nature</td>
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</tr>
<tr>
<td>Focus</td>
<td>relief</td>
</tr>
<tr>
<td>Rules</td>
<td>UW Oshkosh Academic Staff Personnel Rules Chapter 15</td>
</tr>
</tbody>
</table>

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.

(ll) 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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APPENDIX A

COLLEGE MATERIALS

➤ College of Business

➤ College of Education and Human Services

➤ College of Letters and Science

➤ College of Nursing
INTRODUCTION

The primary purpose of this document is to assist the College in accomplishing its mission, goals and objectives. A second purpose is to place in writing the College’s guidelines and criteria, which should be applied in a judicious and professional manner, for personnel decisions concerning appointment, renewal, promotion, tenure, merit and assignment of professional responsibilities. The third purpose of this document is to outline the actions needed, timelines for those actions, and the needs of the College of Business (COBA) in the areas of teaching, research and service to accomplish its mission and to maintain AACSB accreditation.

PRODUCTIVITY GUIDELINES

TEACHING: Teaching is the primary duty and responsibility of a faculty member. Teaching assignments must meet the needs of our students and the needs of the College to generate Student Credit Hours (SCH) and Full-time Equivalents (FTE). In calculating the average SCH per FTE in the College, undergraduate SCH will be added to 1.33 times graduate SCH. In addition to meeting the workload requirements, faculty are expected to continuously improve the quality of instruction.

INTELLECTUAL CONTRIBUTIONS: Research and scholarly activity, hereinafter referred to as research, is a significant part of the faculty’s workload. For a given four-year period, the College’s Intellectual Contributions Productivity Profile should approach the goal profile below.

<table>
<thead>
<tr>
<th>Aggregate goal cumulative percent of faculty</th>
<th>Scholarship Activity Level</th>
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</thead>
<tbody>
<tr>
<td>25</td>
<td>6 scholarly works, at least 4 of which are articles</td>
</tr>
<tr>
<td>50</td>
<td>5 scholarly works, at least 3 of which are articles</td>
</tr>
<tr>
<td>80</td>
<td>4 scholarly works, at least 2 of which are articles</td>
</tr>
<tr>
<td>100</td>
<td>3 scholarly works, at least 1 of which is an article</td>
</tr>
</tbody>
</table>

AACSB categorizes Intellectual Contributions as Learning and Pedagogical Scholarship (works that focus on teaching and learning), Contributions to Practice (works that focus on applications) and Discipline-Based Scholarship (traditional scholarship furthering the academic discipline). When evaluating the Intellectual Contributions of our faculty and staff, AACSB expects a report that divides our contributions into Peer Reviewed Journal Articles (PRJ) and Other Intellectual Contributions (OIC) within each of the three categories.

<table>
<thead>
<tr>
<th>Intellectual Contributions</th>
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<tbody>
<tr>
<td>Learning &amp; Pedagogical Scholarship</td>
</tr>
<tr>
<td>Peer Reviewed Journal Articles</td>
</tr>
</tbody>
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<p>| Learning &amp; Pedagogical Scholarship |</p>
<table>
<thead>
<tr>
<th>Contribution types</th>
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<tbody>
<tr>
<td>Peer Reviewed Journal Articles</td>
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<tr>
<td>Other Intellectual Contributions</td>
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<th>Contributions to Practice</th>
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<tr>
<td>Contribution types</td>
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<tr>
<td>Peer Reviewed Journal Articles</td>
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<td>Other Intellectual Contributions</td>
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<p>| Discipline-Based Scholarship |</p>
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<th>Contribution types</th>
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<tr>
<td>Peer Reviewed Journal Articles</td>
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<tr>
<td>Other Intellectual Contributions</td>
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</table>
Peer Reviewed Journal Articles appear in a journal where the referee process consists of a review by at least two individuals. These can either be from the journal's editorial board or from outside reviewers. Journals listed in Cabell's Directory of Publishing Opportunities, whose review process meets the above requirements, will qualify. For journals not listed in Cabell's, the author(s) is responsible for providing evidence that the journal's review process meets the above requirements.

The following are generally not considered refereed journal articles:
1. Paper presentations which later appear as proceedings.
2. Conference paper presentations that later appear in a journal but are not subject to a second review process.
3. Articles where the journal charges a fee to publish, except if pre-approved by the Faculty Review and Development team.

Final judgments regarding the classification or value of a journal article or paper will be made by the Faculty Review and Development team.

Other Intellectual Contributions includes but is not limited to the following:
- monographs,
- scholarly books,
- textbooks,
- papers accepted for presentation at academic or professional meetings and/or proceedings from scholarly meetings,
- publicly available research working papers,
- papers presented at faculty research seminars,
- publications in trade journals,
- publications in in-house journals,
- published and disseminated book reviews,
- written cases with instructional materials,
- instructional software, other publicly available materials describing the design and implementation of new curricula or courses including instructors' manuals, test banks, slide sets, cases and/or PowerPoint presentations that are attributed to the faculty member as author,
- a significant consulting project whose results are publicly available,
- a significant research grant (at least $15,000) from which articles or professional presentations are anticipated.

Intellectual Contributions must be publicly available, (i.e., proprietary and confidential research and consulting reports do not qualify as Intellectual Contributions).

The presumption that other Intellectual Contributions are not equivalent to peer reviewed journal articles can be rebutted by additional evidence provided by the faculty member.

SERVICE: Faculty are expected to participate on Team, College, and University committees that are important to faculty governance and achieving the goals and mission of the Team, College and University. Service includes participating in committees, student organizations, professional and academic organizations; conducting seminars or workshops; being a reviewer of articles, papers or books; coordinating classes; and providing service to the community.

I. PERSONNEL GUIDELINES

The following guidelines are designed to provide a general framework for personnel decisions. These criteria will be applied in a judicious and professional manner.

APPOINTMENT: The recruiting of faculty is the responsibility of the Team. All appointments are made consistent with University and College Policies and Procedures.

DEGREE COMPLETION: Individuals without an appropriate terminal degree, or who are not near completion of an appropriate terminal degree, will not be hired for a tenure track position. Individuals without the appropriate credentials, if employed, are employed in a temporary position as academic staff. Individuals pursuing the terminal degree may be renewed to the third year (renewal early in the second year) without having completed the terminal degree. However, an individual may not be renewed to the fourth year (renewal late in the second year) unless all requirements have been completed for the degree by the time of the renewal decision. To assist tenure track faculty to
complete the terminal degree, Teams are encouraged, as appropriate to the individual and the availability of resources, to:

a. reduce the teaching load for at least one semester of the first year;
b. reduce or eliminate service assignments for the first year;
c. discourage summer teaching; and
d. discourage outreach activities unless activities are applicable to degree completion.

RENEWAL: Teaching, research, and service are considered in the renewal process. In February of their third year, probationary faculty are almost one-half way to the time at which the tenure decision is normally made. By February of the third year, a faculty member should have begun to establish a clear research track record or serious consideration will be given to non-renewal. In addition, faculty are expected to have a satisfactory performance in the classroom and contribute to the service requirements of the Team, College and University. Clear signals about progress and performance will be given by the Team Personnel Committee and subsequent College level reviewers in their recommendations for renewal. These signals should guide the faculty member toward the upcoming tenure decision.

TENURE: At the time of the tenure decision, a candidate should have at least six (6) works (as defined in the Intellectual Contributions section), at least three (3) of which are refereed journal articles. Under exceptional circumstances, one article may be under review at the time a faculty member submits tenure/promotion documents. Articles must be peer-reviewed. Meeting Expectations in each of the three areas (Teaching, Intellectual Contributions and Service) is necessary, but may not be sufficient to receive tenure. College expectations are in addition to the University criteria for tenure as specified in the most recent University of Wisconsin Oshkosh Faculty and Academic Staff Handbook. It is also to be noted that faculty may apply for “early” tenure in accordance with the University of Wisconsin Oshkosh Faculty and Academic Staff Handbook.

Consistent with University policy, faculty that have signed a contract prior to July 1, 2000, are “grandfathered” under the criteria minimums of five (5) scholarly works, at least two (2) of which are articles. Faculty who signed a contract after June 30, 2000 are subject to criteria of six (6) scholarly works, at least three (3) of which are articles.

II. PROMOTION

The University's Promotion Policy, in its entirety, can be found in the University of Wisconsin Oshkosh Handbook. The University's criteria for degree, experience, and time in rank for promotion to each academic rank are restated below. The additional College of Business minimum requirements for teaching, research and service are indicated by bold type print.

1. Instructor

   Degree: Master's
   Experience: No minimum
   Time in Rank: No minimum
   Teaching: Potential for classroom proficiency.
   Research: None
   Service: None

   Note: The COBA usually does not appoint individuals at the instructor rank. Appointments below the rank of Assistant Professor are designated as instructional academic staff. Instructional academic staff appointments are temporary, non-tenure track appointments, with an annual review for renewal.

2. Assistant Professor

   Degree: Doctorate or ABD if an initial appointment.
   Faculty who acquire the doctorate will be automatically promoted to this rank if official notice that the degree has been granted is submitted to the Vice Chancellor's office by January 1. Rank will be effective as of the following July 1.
   Other Degree Options: No exceptions in the COBA.
   Experience: No minimum.
   Time in Rank: No minimum.
   Teaching: Potential for classroom proficiency.
Research: None
Service: None

3. **Associate Professor**

Degree: Doctorate
Experience: A minimum of five years of college teaching.
Time in Rank: A minimum of two years as an Assistant Professor at this university.
Teaching: Demonstrated teaching proficiency as evidenced by peer and student evaluations.
Research: At least six (6) scholarly works (as defined in the Intellectual Contributions section), at least three (3) of which are refereed journal articles. Under exceptional circumstances, one (1) article may be under review at the time a faculty member submits promotion documents.
Service: Satisfactory

4. **Professor**

Degree: Doctorate
Experience: A minimum of ten years of college teaching or relevant experience.
Time in Rank: A minimum of four years as an Associate Professor at this university.
Teaching: Demonstrated teaching proficiency as evidenced by peer and student evaluations.
Research: At least six works (as defined in the Intellectual Contributions section), three or more of which are refereed journal articles, since last promotion.
Service: Satisfactory

Evidence: The faculty member shall document that all data are consistent with university records and that evidence of degree completion, years of experience, and other factual information is on file in the Vice Chancellor's office.

III. MERIT GUIDELINES

All faculty are evaluated once every two years. Across-the-board or cost-of-living adjustments are given only if such adjustments are mandated by the University. Although teaching, research, and service are considered in the biennial review process, it is recognized that quality research and scholarly activity can often take longer than two years. Thus, a four-year time frame is used for research, while two-year time frames are used for teaching and service.

Expectations: It is recognized that not all faculty will contribute in the same manner or at the same level of performance. Expectations for teaching, research and service in each of the College’s merit classifications are outlined below:

**Teaching:**

Multiple factors will be considered in evaluating teaching. Examples of these factors include:

1. **WHAT IS TAUGHT:** currency, relevance, meets ultimate customers' needs, depth and breadth, theory and application, creation of new course.

2. **HOW IT IS TAUGHT:** effective use of teaching methods, appropriate pedagogy for course material, use of innovative teaching techniques, development of new pedagogy:
   a) Lecture and discussions - organization, clear presentation, stimulates thinking.
   b) Assignments - effective in evaluating students' learning, stimulates thinking, helps students to learn and communicate.
   c) Examinations - appropriate for course.

For the biennial review of teaching, each member of the faculty will submit documentation which best describes the quality of their teaching outcomes during the period under review. In so doing, each faculty member will specify his/her own judgment of what level of achievement has been attained (A, B, C, or D).

Meets Expectations (C). To justify a rating of Meets Expectations, the faculty member must submit:

- Student Opinion Surveys. Using the New Business Form (NBU), Student Opinion Survey data including associated grade distribution (for 50% of classes taught in the biennium) should demonstrate average ratings above 3.0 in all of the following:
1) Amount Learned (SOS 6, 17)
2) Professor Behaviors (SOS 9, 13, 15, 18, 19, 20)

- Syllabi from each course taught over the past biennium. All syllabi must contain each of the following: course objectives, grading policy, multiple assessment criteria, and a timeline/schedule; and be evaluated by the Faculty Review and Development Committee as satisfactory.

**Merit Rating:**

Faculty meeting the criteria for Meets Expectations (C) will be given a base Merit Rating of 100. Additional Merit Rating Points can be earned as follows; however, no more than 60 Merit Rating Points can be earned in any single category. Merit Rating Points cannot exceed 200.

**Category 1 (30 pts each)**

- Publish an article on teaching or curriculum improvement
- Complete requirements for UW System Teaching Scholar
- Present a paper on teaching/pedagogy at an academic or professional meeting and/or have such a paper published in the proceedings from such meetings
- Conduct a teaching/pedagogical workshop at an academic or professional meeting
- Provide Student Opinion Surveys demonstrating average ratings above 4.0 in each of the two groupings described above, for 80% or more of the surveys submitted.

**Category 2 (20 pts each)**

- Write and implement a substantive Teaching Development Plan that includes evaluation of teaching effectiveness by self and external colleagues/sources, teaching philosophy, identification of strengths and weaknesses, a plan to address weaknesses, and specific measurable outcomes. Collection and evaluation of data must be provided.
- Develop and implement a comprehensive Classroom Assessment Plan that includes a blend of evaluation techniques regarding important classroom outcomes [i.e., student reactions, measurement of learning, changes in behavior (transfer of training) and improved effectiveness of the major and/or College]
- Document success with mentoring another faculty member’s teaching
- Present a Faculty College or COBA workshop on teaching pedagogy
- Administer pre/post test of student performance demonstrating statistically significant changes in student knowledge on course. (20 pts max)

**Category 3 (15 pts each)**

- Attend a seminar on teaching improvement and demonstrate how it impacted your teaching
- Supervise an Independent Study
- Supervise funded student research
- Supervise or substantially participate in supervising a Masters’ Thesis or Honor’s Thesis
- Develop and teach a NEW course
- Document an innovative approach to teaching
- Receive 2 peer reviews (2 sections) (15 pts max)
- Perform 2 peer reviews (1 inside and 1 outside department) (15 pts max)

Exceeds Expectations (B). To justify a rating of Exceeds Expectations, the faculty member must attain a Merit Weighting of at least 135.

Exceptional (A). To justify a rating of Exceptional, the faculty member must attain a Merit Weighting of at least 170.

If faculty members do not provide the information required under “Meets Expectations” or if it is evaluated by the Faculty Review and Development Committee as unsatisfactory, they will be evaluated as (D) or (E).

**Meets Most Expectations** (D). 50 Merit Weighting Points. Faculty will not meet expectations if any of the following occurs:

- Faculty fail to provide all the documentation required for Meets Expectations
- Faculty fail to meet the evaluation criteria for Meets Expectations
- Student comments, peer reviews, or other data demonstrate that the faculty member is not performing at the Meets Expectations level.
Merit Not Justified (E). 0 Merit Weighting Points. Merit will not be justified if any of the following occurs:

- Faculty member fails to submit more than 50% of the documentation required for Meets Expectations.
- There is significant evidence that the faculty member is not performing teaching at a satisfactory level.

The presumption of Meets Expectations can be negated by evidence that indicates a faculty member is not performing at the Meets Expectations level. The presumption of Does Not Meet Expectations can be rebutted by additional evidence presented by the faculty member.

**Intellectual contributions:**

Faculty will qualify for one of five categories in the area of Intellectual Contributions. Qualifying for placement in each of the performance categories will depend upon meeting specific criteria as presented below. The requirements are expressed for a four-year time frame.

### Four Year Merit Table

#### Intellectual Contributions

<table>
<thead>
<tr>
<th>Merit Rating</th>
<th>Merit Weighting</th>
<th>Scholarship Activity Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Exceptional</td>
<td>200</td>
<td>6 scholarly works, at least 4 of which are articles</td>
</tr>
<tr>
<td>B. Exceeds Expectations</td>
<td>150</td>
<td>5 scholarly works, at least 3 of which are articles</td>
</tr>
<tr>
<td>C. Meets Expectations</td>
<td>100</td>
<td>4 scholarly works, at least 2 of which are articles</td>
</tr>
<tr>
<td>D. Meets Most Expectations</td>
<td>50</td>
<td>3 scholarly works, at least 1 of which is an article</td>
</tr>
<tr>
<td>E. Merit Not Justified</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

### Merit Table

For Faculty with Three Years or Less in COBA

<table>
<thead>
<tr>
<th>Merit Rating</th>
<th>Merit Weighting</th>
<th>Earliest Year Candidate Begins COBA Service</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Less than 3 years*</td>
</tr>
<tr>
<td>A. Exceptional</td>
<td>200</td>
<td>5 scholarly works, at least 3 of which are articles</td>
</tr>
<tr>
<td>B. Exceeds Expectations</td>
<td>150</td>
<td>4 scholarly works, at least 2 of which are articles</td>
</tr>
<tr>
<td>C. Meets Expectations</td>
<td>100</td>
<td>3 scholarly works, at least 1 of which is an article</td>
</tr>
<tr>
<td>D. Meets Most Expectations</td>
<td>50</td>
<td>3 scholarly works</td>
</tr>
<tr>
<td>E. Merit Not Justified</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

* January 1st of year of merit review with more than 2 years but less than 3 years in COBA
** January 1st of year of merit review with more than 1 year but less than 2 years in COBA
*** January 1st of year of merit review with less than 1 year in COBA

**New Faculty:** For faculty with three years or less in COBA, each faculty member will qualify for one of five categories in the area of Professional & Scholarly Development by using the highest rating developed from evaluating the individual based on each of two tables: (1) the Four Year Merit Table (based on four years experience that can include experience prior to coming to UW Oshkosh); (2) the Merit Table for Faculty with Three Years or Less in COBA (based on the appropriate column in which the individual fits).

**Service:**

A faculty member is expected to attend Team and College meetings and make other value-added contributions. Faculty will be evaluated for service activities, as previously defined, that require a
significant commitment of time and that are important to the reputation and functioning of the Team, College and University. Service will be evaluated using information provided by faculty members about their contributions to the Service mission of the College of Business. Information should include description of leadership roles, effort level in terms of hours expended, and contribution in terms of identifiable product(s). Team Leaders and Program Directors will be evaluated by the Dean (with input from the relevant constituencies) for their contributions in those roles; the evaluation by the Faculty Review and Development Committee will be based upon their contributions beyond those listed in the position descriptions. If there is a difference in ratings for Team Leaders or Program Directors between the Dean and the Faculty Review and Development Committee, they will meet to jointly determine the final rating for service.

The service categories include the following:

1. University level,
2. College of Business,
3. Team,
4. Student Services [student advising including career counseling, club advisor, participation in club activities, commencement exercises, etc.],
5. Professional Services [e.g., professional speeches, consulting activities, seminars/workshops, review of papers/articles/books, offices held in academic/professional organizations or conferences, and community services related to your field of academic/professional expertise that advance the service mission of the university],
6. Other Services [Any other significant service-related activities that were not addressed above.]

The faculty member will be placed in one of four performance categories based upon information provided about the above service.

For the biennial review of service, each member of the faculty will submit documentation which best describes the quality of their service contributions during the period under review. In so doing, each faculty member will specify his/her own judgment of what level of achievement has been attained (A, B, C or D).

Because there is a lack of consensus on what constitutes effective service, ratings will necessarily be based on the professional judgment of the evaluators. It is the individual faculty member's responsibility to put forward the best possible case for evaluation. Faculty will be placed in one of the following groups:

<table>
<thead>
<tr>
<th>Biennial Merit Table - Service</th>
<th>Merit Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Exceeds Expectations</td>
<td>150</td>
</tr>
<tr>
<td>B. Meets Expectations</td>
<td>100</td>
</tr>
<tr>
<td>C. Meets Most Expectations</td>
<td>50</td>
</tr>
<tr>
<td>D. Merit Not Justified</td>
<td>0</td>
</tr>
</tbody>
</table>

Faculty who do not anticipate qualifying for the top rating in service (A. Exceeds Expectations) but do feel qualified to receive the second rating (B. Meets Expectations) may elect to submit a set of service-related documentation including only a list of the service activities in which he/she was involved during the biennium. A statement from the faculty member should be provided indicating his/her election to submit only the minimum documentation for evaluation.

Faculty who feel qualified to receive the top rating (A. Exceeds Expectations) must clearly describe their rationale for this conclusion, supported by evidence. A more extensive set of documentation is likely to be needed to support the case for the top rating.

New Faculty: During the first year, new faculty will "Meet Expectations" if they have limited or no service that year. During the second year, new faculty will "Meet Expectations" if they have at least Team or College committee service.

Division of Merit Pool: To address individual faculty strengths and interests, each College of Business faculty member will select a set of three weights. These weights must comply with the ranges indicated below and all weights will be expressed in integer multiples of 5%. The selected weights will be provided confidentially to the Faculty Program Director at the beginning of the biennium. The weights will remain confidential throughout the biennium and during the FRED Team's evaluation.
process. After evaluation has been completed, the weights will be used in calculating individual faculty merit increases. Allowable ranges are:

<table>
<thead>
<tr>
<th>Category</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Teaching</td>
<td>35% to 45%</td>
</tr>
<tr>
<td>Scholarly &amp; Professional Development</td>
<td>35% to 45%</td>
</tr>
<tr>
<td>Service</td>
<td>10% to 25%</td>
</tr>
</tbody>
</table>

Merit Review Process: Biennial evaluations are based on performance. The Faculty Review and Development Team (FRED) is responsible for developing a uniform procedure for reporting accomplishments in the areas of teaching, research, and service. This procedure shall be communicated to the faculty prior to January 1 of the evaluation period. After the evaluation is complete, each faculty member will be provided a written summary of his/her ratings in each of the three performance categories. Within 20 working days of the date of this written feedback two representatives of the FRED Team, and possibly the Dean, will meet with the faculty member for face to face feedback on his/her performance and to discuss future professional development. For faculty members receiving an overall evaluation that is below expectations the two FRED Team representatives, the Dean and the faculty member will jointly create a development plan to improve performance. This plan will specify dates on or before the next two-year merit/post tenure review to assess improvement.

REVISION AND UPDATING
COLLEGE OF BUSINESS POLICIES AND PROCEDURES

Every four years these Policies and Procedures for Appointment, Renewal, Promotion, Tenure and Merit will be re-evaluated and any revisions will be recommended to the faculty for their action.
College of Education and Human Services
Guidelines for Renewal and Tenure of Faculty

The purpose of this document is to establish uniform criteria for renewal and tenure in the College of Education and Human Services (COEHS). All COEHS departments are required to utilize these guidelines for renewal and tenure. If departments wish to add to or further define these guidelines, they are required to do so in writing, and to furnish those additional guidelines to the candidate.

Candidates for renewal and tenure are expected to contribute to the college and university through their efforts in the three areas of (A) Teaching, (B) Professional and Scholarly Growth, and (C) Service. Candidates are required to summarize data on Teaching, Professional and Scholarly Growth, and Service in the renewal/tenure papers with evidence to support this summary to be provided in separate folders. These summary data should be cumulative, providing information for all the years the candidate has been a member of the COEHS staff. The accompanying documentation should adequately support the summary and should follow the summary papers through the department and college levels of review. Candidates will be evaluated as Superior, Above Average, Average, Below Average, or Poor in each area by the department personnel committee, the department chair, college personnel committee, and COEHS Dean. These evaluations represent professional judgments of the candidates' performance. The rationale supporting these evaluations will be specified at all review levels, and will be provided to the candidates in writing for all three areas of review.

When a candidate for renewal has been credited with years of experience toward tenure prior to joining the University of Wisconsin Oshkosh staff, the candidate will provide, within the renewal and tenure papers, information and supportive documentation on Teaching, Professional and Scholarly Growth Activities, and Service for those prior service years.

The kinds of evidence supplied by candidates in the Teaching, Professional and Scholarly Growth, and Service areas will vary. Some evidence is required, while some is optional, with each being labeled as such in the sections of this document in which the specific categories of evidence are described. Evidence identified as "required" denotes information that is expected to be included in the candidate's renewal and tenure papers.

While it is the responsibility of the candidate to provide documentation of progress in Teaching, Professional and Scholarly Growth, and Service, it is the responsibility of the department and college reviewers to evaluate this progress and communicate their conclusions and recommendations to the candidate. When progress in any year is judged as being below what is expected for developing a record which supports a positive tenure decision, the probationary faculty member will be given explicit counsel and advice about expectations for the next renewal cycle by the level(s) of review which found the progress to be below expectations. A written summary of this counsel and advice will also be given to the candidate. It is not in the best interest of the faculty member, the department, or college to continue to reappoint a probationary faculty member if it is clear that the person's record is not adequate to support a positive tenure decision.

STATEMENT OF EXPECTATIONS

Expectations of what types of evidence are indicative of progress toward tenure vary with the candidate’s length of time at University of Wisconsin Oshkosh. A discussion of renewal and tenure expectations will be held among the department chair, the chair of the department personnel committee, and the candidate. A statement of expectations will be written after this meeting which conforms to the College and department guidelines. This statement of expectations will cover the pre-tenure period, with specific expectations listed. This statement will be submitted for approval to the department personnel committee and the department chair within 90 days of a candidate’s date of hire. Approved copies of this statement will be provided to the new faculty member, the chair of the department personnel committee, the department chair, the COEHS Dean, the Provost and the Chancellor by the department chair.
The new faculty member is to utilize the statement of expectations to determine what s/he needs to 
accomplish to achieve renewal and tenure. The statement of expectations is to accompany the 
renewal papers each year and will be addressed by the candidate and the department in their renewal 
documentation and evaluation. Should a candidate not meet the expectations stated in this pre-tenure 
written statement of expectations, s/he may be non-renewed. Should the candidate be renewed 
having not met the written expectations or should either the initial level of review or the Chancellor 
desire modification in the written statement of expectations, a new written statement of expectations 
will be provided to the candidate by the department chair.

To guide departments in developing specific written statements of expectations, the following general 
expectations are provided.

GENERAL EXPECTATIONS

In general, during the first three years it is expected that the candidate will focus upon becoming an 
effective teacher and upon establishing an on-going record of professional development, with a 
gradual but increasing involvement in service activities. To support this emphasis, candidates 
applying for renewal in the first three years will be evaluated as making satisfactory progress in 
Teaching if they receive Average ratings by the department and college personnel committees. While 
teaching is of primary importance, during the first three years candidates should be developing an 
active professional and scholarly record that will provide evidence of at least three (3) publications 
prior to the tenure decision which normally occurs during the candidate’s sixth year of service. 
Professional publications shall include juried journal articles, books, book chapters, professional 
organization monographs, and other scholarly products that the departmental committees recognize 
as appropriate substitutes. If a department personnel committee makes such a substitution, this 
decision should be documented in writing in the candidate’s “Statement of Expectations for 
Probationary COEHS Faculty.” During the first three years, candidates may submit evidence of 
scholarly work that is “in progress” as an example of their professional growth and development over 
the past year.

After three years of probationary service at University of Wisconsin Oshkosh, Teaching will be 
weighted 50% and Professional and Scholarly Growth and Service each weighted 25% in the renewal 
and tenure decision process. A candidate must have an Above Average rating in Teaching and an 
Above Average rating in at least one of the other categories to be evaluated as making satisfactory 
progress for renewal/tenure after three years of credited time on the tenure track.

After three years at University of Wisconsin Oshkosh, continued service at the department and college 
levels with increasing involvement at the University level is expected.

Probationary faculty members who receive an appointment before they complete the appropriate 
terminal degree will be expected to make satisfactory progress toward obtaining the degree. Progress 
shall be monitored through a written plan and timeline developed by the candidate and approved by 
the department personnel committee. Progress as specified in the plan and timeline will be described 
by the candidate in the renewal/tenure papers. Failure to make satisfactory progress as specified in 
the plan and timeline can be considered adequate cause for nonrenewal and non-tenure.

A specific description of the types of data to be submitted as evidence in the Teaching, Professional 
and Scholarly Growth and Service areas is provided in the following sections of this document.

TEACHING

The College of Education and Human Services historically has had a strong commitment to effective 
instruction. For this reason it is desirable that the renewal papers, both in the summary and the 
supporting evidence, reflect in a comprehensive manner the teaching ability and the teaching growth 
of the probationary faculty member. The teaching growth is identified by the cumulative nature of the 
summary statement and evidence folders. A list of required and suggested optional items for inclusion 
in this section are identified below to aid the probationary faculty member in the completion of this 
section.
A. Required Items.

1. Load Assignments (see “C. Load Assignments” below) - In the comment section, the faculty member may include statements pertinent to the assignments, such as new preparations, courses being taught outside of the department, off-campus site teaching, etc.

2. Student Evaluations - A summary of student evaluations should be included for 50% of classroom teaching assignments for the renewal period. Student comments should be included.

3. Peer Evaluations - Two evaluations from department and/or other college faculty members should be included for each renewal period. In general these would be tenured faculty members.

B. Optional Items. (Include all items appropriate to you.)

1. New courses developed, course revisions (documented).

2. Advisement: number of undergraduates; number of graduates; number of advisement encounters in the past year.

3. Theses, Independent Studies, Other.

Thesis: Chair __________________ Reader _________________
Title:

Independent Study Contracts:

Other: (Please specify.)

4. Teaching Awards and Grants.

5. Course Syllabi: At least one syllabus should be included for each renewal period.

PROBATIONARY FACULTY LOAD ASSIGNMENTS

Annual Renewal Period ________ to ________

C. Load Assignment.

1. Courses Taught:

<table>
<thead>
<tr>
<th>Semester</th>
<th>Course No.</th>
<th>Course Title</th>
<th>Enrollment</th>
<th>Load Credit</th>
</tr>
</thead>
<tbody>
<tr>
<td>________</td>
<td>_________</td>
<td>______________________</td>
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</tbody>
</table>

2. Other: Non-teaching responsibilities assigned as part of load.

3. Comments:

PROFESSIONAL AND SCHOLARLY GROWTH

It is expected that candidates shall demonstrate a continuing consistent involvement in a variety of professional and scholarly growth activities listed in Level I and Level II. However, professional activities in Level I are required and evidence of at least three (3) professional publications or
appropriate substitutions as determined by the departmental or college personnel committees must be provided prior to the tenure decision.

Level I

A. Publications (indicate if juried)
   1. National distribution
   2. Regional or local distributions
   3. Article submissions

B. Presentations
   1. Papers read at major conferences
   2. National presentations
   3. Regional or state presentations
   4. Local presentations

C. Grants
   1. Funded, national level
   2. Other funded grants
   3. Grant proposals submitted

D. Research Activities
   1. Completed
   2. In progress

E. Other

Level II

F. Professional Development Activities
   1. Attendance at faculty colleges
   2. Workshops
   3. Courses
   4. Other (Give dates and descriptions)
      a. Retraining
      b. Intense, specific, hands-on conferences
      c. Working with nationally known colleagues
      d. Observing colleagues' classes

G. Memberships in Professional Organizations (Give dates.)
   1. National
   2. Regional
   3. State
   4. Local

H. Attendance at Professional Meetings (Give dates and responsibilities.)
   I. Other

SERVICE

A candidate for renewal/tenure should show a gradual but increasing involvement in service activities in all of the five categories listed below. During the first three years at University of Wisconsin Oshkosh no specific service activities are required, but it is expected that the candidate begin to establish a service record at the department, the college and the university levels during this period. After three years at University of Wisconsin Oshkosh, a record of continued service at the department, the college and the university levels is required. Although some service in each category is expected, extraordinary service in any one category can compensate for limited service in another of the areas.
Additional services to professional organizations and/or to the greater university community are optional but highly recommended. An optimum record of service will show a record of continued service activities with a balance of activities across all five categories.

Service

A. To Department
   1. Committees
   2. Supporting and cooperating with department goals - examples: works cooperatively with others, attends convocations, graduations, guest lectures, professor-for-a-day activities, to specifically include governance roles.
   3. Mentor to colleagues
   4. Other

B. To College
   1. Committees
   2. Supporting and cooperating with the work of the college--especially governance activities
   3. Advisor to student groups
   4. Other

C. To University
   1. Committees
   2. Assuming leadership and governance roles
   3. Other

D. To International, National, State, and Community
   1. That directly relate to one's professional expertise
   2. Service provided to community in terms of leadership roles

E. To Professional Organizations
   1. To professional organizations of which you are a member
   2. To professional organizations of which you are not a member - examples: task forces, S.E.C. teams
INTRODUCTION

This document establishes the general policy for reappointment and tenure for the College of Letters and Science. It will serve as a guide for the development of policy specific to the particular discipline(s) by each academic department or unit. The activities in the areas of evaluation enumerated below are intended to preserve and enhance the excellence of the College of Letters and Science by encouraging faculty members to develop their full potential as teachers and scholars.

RELATIONSHIP TO UNIVERSITY MISSION AND TENURE AND REAPPOINTMENT POLICIES

The select mission calls for this University "to acquire, preserve, and disseminate knowledge," to intellectually "challenge students," and "to expect scholarly activity, including research, scholarship and creative endeavor." The University guidelines require that candidates for tenure demonstrate (1) "quality performance in teaching," (2) "scholarly achievement and institutional and extra-institutional related professional services and activities at a level sufficient to ensure continued professional and intellectual growth," and (3) "a significant contribution to the growth and development of the institution."

AREAS OF EVALUATION

1. Teaching - Effective teaching requires mastery of the subject coupled with organizational and communication skills necessary to share this knowledge with students in a manner that encourages them to learn. Effective teaching requires continual updating of course subject matter and instructional techniques. Effective teaching may involve diverse pedagogical approaches and may take place in many settings, some removed from the classroom. Effective teaching may require collective as well as individual efforts in developing or revising a curriculum or carrying out cooperative instructional activities.

2. Professional and Scholarly Activity - Professional and scholarly activity implies active engagement with one's discipline or field. It includes the search for new knowledge, the expression of creative talent, and the application of existing knowledge to issues and problems within our society.

   Professional and scholarly activity enables faculty members to acquire and maintain expertise within their disciplines and, where appropriate, across disciplines. It enhances their abilities to engage students both in gaining knowledge of their disciplines and in developing the skills by which that knowledge is acquired.

   Professional and scholarly activity takes diverse forms depending upon each faculty member and upon each discipline. For the purpose of reappointment and tenure, the common criterion for all faculty members is that professional and scholarly activity must be demonstrated in such a manner that it can be observed and evaluated by appropriate peers.

3. Service - Service activities fall into three general categories: University, public, and professional. University service is work for the department, College, University and UW-System. Faculty members have an obligation to accept their share of faculty responsibilities for the governance of the institution. Public service relates to the non-academic community, especially that public directly related to one's professional expertise. Service to the profession includes such activities as serving as an officer in a professional organization, acting as a peer reviewer for a journal, conducting on-site evaluations and visits for purposes of academic review or reviewing grant applications.
4. Relative Importance of Areas - Teaching effectiveness and professional and scholarly activity are the two most important elements in reappointment and tenure decisions.

PROGRESS TOWARD TENURE

Each year probationary faculty members should show satisfactory progress in developing a record in teaching and in professional and scholarly activity which will result in the granting of tenure. The annual process of positive renewal should lead to the granting of tenure. It is expected that probationary faculty will concentrate on effective teaching and on establishing a record of professional and scholarly activity in their first years on the faculty. By the time of the tenure decision, a clear record of accomplishment in both areas should be established. Although major service roles for institutional governance are normally the responsibility of tenured faculty, probationary faculty will be expected to participate in general department responsibilities in the latter half of their probationary period.

RELATIONSHIP TO DEPARTMENT POLICIES

This document serves as the framework for policies to be prepared and adopted by each department within the College. Department policies shall define more precisely what activities constitute professional and scholarly activities for their faculty members, and what levels of performance are necessary conditions for reappointment and tenure. Department policies also shall recognize the various contexts and methods of instruction appropriate to specific disciplines as they define what constitutes effective teaching. Departments shall identify appropriate types and levels of service. Finally, department documents shall describe the kinds of evidence that must be presented for evaluation in all three areas.

Policy on Promotion Documentation

Policy: In the College of Letters and Science, candidates for promotion must provide peer evaluations as part of their documentation of Teaching Effectiveness.

Rationale: The procedures for promotion should be consistent with other personnel procedures in the College of Letters and Science. In University guidelines peer evaluation is already one of the permissible types of evidence that may be used to demonstrate teaching effectiveness.

Approved by Faculty Committee, Minutes of 28 February 2002
Also approved in a College-wide referendum 8 May 2003

Policy: Candidates for promotion shall submit comments and votes by all levels of review from the most recent promotion consideration to the same rank if such a consideration took place in the previous five years.

Rationale: The Promotion Committee should be provided with the same documentation that is submitted to the Tenure and Renewal Committee. Reviewing previous comments and votes will help clarify for the Committee whether the candidate has addressed any concerns expressed previously by all levels of Review.

Policy Approved by the Faculty Committee, Minutes of 06 March 2002
Also approved in a College-wide referendum 8 May 2003
College of Nursing
TARPS Renewal/Tenure/Post Tenure Review/Merit Document

Introduction

The College of Nursing is committed to quality programs and services that prepare undergraduate and graduate students to practice nursing in a progressive, dynamic health care delivery system. The faculty contributes to the overall advancement of these programs through teaching excellence, a commitment to professional and scholarly activities and research, as well as engaging in College, University, and community service.

This document outlines the processes used to carry out Chapter 6 FACULTY PERFORMANCE REVIEW, from the current University of Wisconsin Oshkosh Faculty and Academic Staff Handbook. It includes faculty evaluation, performance and merit distribution process, and the post-tenure review process. The primary purpose of this document is to assist the faculty in accomplishing the mission, goals and objectives of the university. The guidelines and criteria facilitate the process of consistent judgment in personnel decisions. Criteria for appointment, renewal, tenure and promotion are found in the UW Oshkosh Faculty and Academic Staff Handbook Fac. Chapters 3, 4, 5: Appointment (Fac. Chapter 3); Renewal and Tenure (Fac. Chapter 4); and Promotion (Fac. Chapter 5, Parts A, B, C).

A. Faculty Evaluation
Renewal, tenure, merit and post-tenure reviews will be based on faculty's ability to demonstrate meeting the College of Nursing standards and criteria in the areas of teaching, professional and scholarly growth and service. For teaching, evaluation and merit will be based on documentation submitted as it relates to a variety of teaching performance categories: (1) course planning and preparation; (2) actual teaching; (3) evaluation of student learning and providing feedback; and (4) keeping up with the professional field in areas related to teaching performance.

Faculty evaluation for tenure is consistent with criteria outlined in Faculty Chapter 4, Part B of the current University of Wisconsin Oshkosh Faculty and Academic Staff Handbook. The same review process as listed for renewal shall be followed. In addition, for tenure, the University of Wisconsin Oshkosh Faculty and Academic Staff Handbook (2001), indicates that a statement shall be included from each reviewing level indicating addressing the following factors [stated in Faculty Chapter 4.E.2.(2)]. For tenure decisions faculty need to meet the criteria stated in Faculty Chapter 4.B.5.(5) except for those individuals for whom Faculty 4.B.5.(6) applies.

1. Teaching: Based on the review of the candidate's performance as documented in the credentials under review, that the candidate has established a record of teaching effectiveness that enables the reviewer to believe the candidate will make a significant contribution to the future growth and development of the University.

2. Scholarly Activities: Based on the review of the candidate's performance as documented in the credentials under review, that the candidate has established a record of appropriately scholarly activities that enable the reviewer to believe the candidate will make a significant contribution to the future growth and development of the University.

3. Service: Based on the review of the candidate's performance as documented in the credentials under review, that the candidate has established a record of appropriate service that enables the reviewer to believe the candidate will make a significant contribution to the future growth and development of the University.

Weight of the Professorial Role Components
The standard weighting of the professorial roles will be as follows:

Teaching 50%
Professional & Scholarly Growth 25%
Service 25%
The above weighting of teaching (50%), professional and scholarly growth (25%), and service (25%) is applied to all decisions of reappointment, tenure, merit and promotion.

The evidence as submitted by the faculty member will be considered according to the above weighting unless documentation of a prior written agreement exists among the faculty member, the TARPS Committee, and the Dean. The negotiated weighting should not hinder the faculty members' progression through the professorial ranks or the achievement of the mission and work on the College of Nursing.

B. Merit Distribution Process and Definition of Solid Performance
Merit evaluations can occur in two-year cycles for faculty. Based on faculty-determined weighting of teaching, scholarly growth and service, a point system is used to reflect this weighting. Each applicant is evaluated and points are assigned reflecting performance level in each of the three areas using the faculty-approved merit criteria. The criteria are intended to describe the array of possible options; faculty are not expected to meet all criteria listed. Points earned in each area are summed for each person and forwarded to the Dean, who can modify the amount awarded based on additional evidence and rationale, which the Dean will provide to the TARPS Committee. When merit dollars are known, the dollar amounts are awarded based on the merit points earned by each individual.

Criteria for the academic ranks of instructor through professor, outlined in the College of Nursing Faculty Handbook, are considered in the evaluation of solid and meritorious performance. The definition of solid and meritorious performance is provided in the document, "Criteria for Solid and Meritorious Performance (pp. 89-91).

The College of Nursing TARPS Committee provides written feedback to individual faculty regarding the rating given, along with suggestions, if any, for improvement. Both face-to-face meeting and written feedback will be provided to the faculty member.

C. Post-Tenure Review
All tenured faculty who have not been promoted in rank or who have not received tenure within the past four years will participate in a performance appraisal. Post-Tenure Review must include the following:
1. Evidence of quality teaching, professional and scholarly growth, and service. These guidelines are consistent with the merit process and the promotion process.
2. Written feedback will be given to the faculty member being evaluated. A face-to-face feedback meeting with the Chair of the College of Nursing TARPS Committee will also take place.
3. For faculty whose performance does not meet professional expectations in either the area of teaching or professional and scholarly growth, or service, a faculty development plan will be developed by the faculty member with input from the TARPS Committee and program director. The plan should outline major goals to be attained in order to improve performance. Progress will be evaluated on an annual basis by the faculty member and the TARPS Committee with input from the respective program director and Dean until expectations are met.
4. Results of the Post-Tenure Review can be used to determine merit pay adjustments without conducting a separate merit review.

D. Faculty preparing material for TARPS consideration need to comply with University of Wisconsin Oshkosh policies and procedures as well as those of the College of Nursing. Faculty should refer to the appropriate section(s) of both the current CON Faculty Handbook and the UW Oshkosh Faculty and Academic Staff Handbook.
Facility/Academic Staff
A clear, concise and organized presentation is recommended for all folders. The current UW Oshkosh
Faculty and Academic Staff Handbook (FASH) outlines documentation guidelines for tenure, renewal,
promotion, post-tenure review, and merit in the Faculty Personnel Materials chapters under Faculty
Renewal & Tenure (Chapter 4); Faculty Promotion (Chapter 5); Faculty Performance Review (Chapter 6);
and in the College Materials Appendix A for the College of Nursing. For academic staff, the FASH
Academic Staff Personnel material in the chapters on Evaluation (Chapter 6), Contract Renewal (Chapter
7), Career Progression (Chapter 9), and Changes of Title (Chapter 11) outlines general University
information. In addition, the College of Nursing Handbook gives guidelines for preparation of a folder.

Reappointment and Tenure Folders: Tenure track faculty applying for reappointment or tenure need to
submit full documentation including physical evidence of teaching, professional and scholarly activities,
and service. Copies of reappointment recommendations at all levels from prior years should also be
included. Academic staff applying for reappointment need to submit documentation including physical
evidence of teaching, professional and scholarly growth, and service.

Promotion Folders: Tenured faculty applying for promotion need to submit full documentation including
physical evidence of teaching, professional and scholarly activities, and service.

Merit—for 2-year period
Three SOS’s are required, plus a current vitae and brief discussion that addresses the following:

A. Teaching:
Include documentation of (1) course planning and preparation (note your individual role related to
group/team planning and/or course teaching; (2) actual teaching (SOS, peer evaluation, etc.); (3)
evaluating student learning and providing feedback; and (4) keeping up in the professional field in
areas related to teaching (See UNIVERSITY OF WISCONSIN OSHKOSH FASH, Chapter 6: Faculty
Performance Review), and College of Nursing Faculty Handbook.

B. Professional and Scholarly Growth:
List in vitae and provide first page only of any publications, presentation, grant proposals, etc.
Clearly indicate status of any submitted manuscripts, grants, etc. List professional conferences
attended and other professional activities; do not include conference brochures, etc.

C. Service:
List service activities. Further evidence not required.

D. Self-Evaluation:
Provide a self-evaluation related to the above three areas and identify goals for the future.

Post-Tenure Review
For post-tenure review, faculty ranked as solid or meritorious performers in the last merit review need only
submit the summaries from one or two previous merit reviews for the applicable 4-year period. These
summaries would provide evidence of the three required SOSs in addition to summaries of professional
and scholarly growth and service. Post-tenure faculty who did not submit a folder for merit review, or did
not achieve a ranking of solid or meritorious performer during the 4-year period, are required to submit a
vitae and evidence related to teaching, professional and scholarly activities, and service (see FASH).

1/04
CRITERIA FOR PERSONNEL DECISIONS

The following criteria will serve as a framework for personnel decisions involving faculty in the College of Nursing. This includes appointment, reappointment (renewal), tenure and promotion.

I. APPOINTMENT

The appointments are made consistent with University Policies and Procedures (UW Oshkosh Faculty and Academic Staff Handbook, Fac. Ch. 3 & 5).

A. Assistant Professor
   Option 1: Degree: Doctorate preferred in nursing or relevant field
             Experience: No minimum teaching experience
   Option 2: Degree: 30 semester credits beyond masters in nursing in a planned program of study
             Experience: Four years of experience including relevant clinical practice and at least one year full-time college teaching

B. Associate Professor:
   Degree: Doctorate in nursing or relevant field
   Experience: Minimum of five years full-time college teaching and/or relevant experience. Evidence of scholarship including publication.

C. Professor:
   Degree: Doctorate
   Experience: Minimum of ten years full-time college teaching and/or relevant experience. Evidence of scholarship including publication.

II. CRITERIA FOR RENEWAL AND TENURE

INTRODUCTION:
The following represent the criteria for renewal and tenure in the College of Nursing. The activities and expectations as enumerated are intended to preserve and enhance the excellence of the College of Nursing by encouraging faculty members to develop their full potential as teachers, scholars and members of the University community. No candidate is expected to meet all the criteria listed. However, recognition will be given to faculty who meet criteria or are involved in activities that may be listed at higher ranks. Performance at meritorious level as defined in the College of Nursing criteria for solid and meritorious performance document is required for renewal and tenure. Tenure decisions require that the faculty member meet the criteria for promotion to associate professor (see FASH).

A. TEACHING
   1. Assistant Professor
      a. Self-evaluation identifying strengths and area(s) for improvement.
      b. Peer evaluation of teaching attesting to quality of teaching.
      c. Teaching evaluations, one of which should be the University SOS tool in accordance with the UW Oshkosh Faculty and Academic Staff Handbook guidelines.
      d. Evidence of consistent quality in teaching as provided by data from students, faculty peers and clinical agency person(s).
      e. With a doctorate, directs students in independent study or thesis/clinical research paper.
2. Associate Professor  
   a. Same as Assistant Professor (a-e above) plus,  
   b. Development of course materials of quality (course proposals, syllabi and supplement, AV materials, etc.)  
   c. Development of research, teaching or other UW Oshkosh faculty development grant proposals.  
   d. Evidence of using a variety of teaching methods and/or experimenting with new method(s).  
3. Professor  
   a. Same as Associate Professor (a-i above) plus  
   b. Evidence of increasing responsibility for chairing committees for thesis/clinical paper.  
   c. Recognition, citations or awards for excellence or high quality of teaching and/or new course development.  

B. PROFESSIONAL AND SCHOLARLY GROWTH  

1. Assistant Professor  
   a. For continued reappointment, evidence of doctoral course work.  
   b. Participates in scholarly continuing education programs.  
   c. Membership in at least one professional organization.  
   d. Evidence of regular participation in professional meetings and activities, for example, WNA, etc.  
   e. Achievement(s) as demonstrated through significant scholarly (including clinical) contributions to the profession.  
   f. Evidence of scholarship (publications or presentations).  

2. Associate Professor  
   a. Same as a-f above, plus  
   b. Evidence of a continuing publication record required. Publishes in relevant, juried, or peer-reviewed professional journals, or book chapters, monographs, which make a contribution to nursing and nursing education.  
   c. Presents scholarly papers at regional or national meetings.  
   d. Active membership in professional organizations, i.e., serves on committees and holds office, etc.  
   e. Submits/obtains grants for intramural funding, etc.  
   f. Serves as mentor for junior faculty.  
   g. Serves as consultant to health agencies or organizations.  
   h. Achievement(s) as demonstrated through significant scholarly (including clinical) contributions to the profession.  

3. Professor  
   a. Same as a-m above, plus  
   b. Presentation of scholarly papers at national and/or international professional meetings.  
   c. Evidence of a continuing publication record required. Publishes in relevant refereed professional journals of national and international significance; published books (texts/workbooks) which make a contribution to nursing and nursing education, and published multimedia packages.  
   d. Serves as editor/reviewer for publications in the field.
C. SERVICE

1. Assistant Professor
   a. Actively participates and provides leadership on College of Nursing committees.
   b. Serves as speaker and/or provides leadership at community events.
   c. Serves on at least one University committee.
   d. Provides leadership to community organizations.

2. Associate Professor
   a. Assumes a leadership role in implementing the CON mission and goals.
   b. Actively and consistently participates in College of Nursing committees.
   c. Chairs College of Nursing committees or serves in a leadership role on committees.
   d. Actively participates on University and/or UW System committees.
   e. Serves as speaker and provides leadership at community events.
   f. Serves on community organizations.

3. Professor
   a. Assumes a leadership role in implementing CON mission and goals.
   b. Chairs and serves in leadership roles on College and University committees.
   c. Actively participates in UW System committees.
   d. Serves on state, regional or national projects.
   e. Serves as speaker and provides leadership at community events.
   f. Consistent, sustained record of service at all levels.

III. CRITERIA FOR PROMOTION

The normal minimum requirements for promotion and Appendix A (as outlined in the current University of Wisconsin Oshkosh FASH 5B.2-5B.5) include four categories: 1) degree, experience, and time in rank; 2) teaching effectiveness; 3) professional and scholarly growth, and 4) institutional and extra-institutional service. The CON follows University guidelines for promotion.

Evidence: The Dean shall document that data is consistent with University records and that evidence on degree completion is on file in the Provost/Vice Chancellor’s Office.

REFERENCES


*University of Wisconsin Oshkosh Faculty and Academic Staff Handbook*
- Chap. 1, 2 and 3 Personnel Materials
- Chap. 4 Faculty Renewal & Tenure
- Chap. 5 Faculty Promotion
- Chap. 6 Faculty Performance Review

1/04 Approved CON Personnel Committee
12/03 Approved CON Personnel Committee
12/11/97 Approved CON TARPS Committee
1/11/99 Revisions approved CON TARPS Committee
Guidelines and Criteria: Appointment and Progression

Instructional Academic Staff (IAS)

Introduction

Instructional academic staff are expected to provide teaching and student guidance in clinical settings as well as to coordinate clinical learning experiences. Instructional Academic Staff may also teach theory courses if doctorally prepared faculty are not available. Instructional Academic Staff assignments are fluid based on CON needs. Instructional Academic Staff have input into the curriculum and are retained for their clinical expertise, role modeling, and skill in supervision of students.

This document outlines guidelines and criteria for appointment and progression for instructional academic staff within the College of Nursing.

I. General Guidelines

A. Instructional academic staff are appointed full-time, part-time (50% or more), or on a per-course or per-cohort basis.

B. All appointments will be based upon criteria and needs established by the College of Nursing.

C. The initial period of appointment varies on an individual basis and is based on the needs of the CON in accordance with University policy.

D. The CON Dean hires IAS upon recommendation of the appropriate program director(s).

E. The Personnel Committee reviews candidates for reappointment, progression, and merit, and makes recommendations to the Dean of the CON (See II and III, and Merit Criteria that follow).

F. Transfer to tenure track requires that the applicant apply for a declared open position and be considered through the normal hiring process with recommendation of the College Personnel Committee to the Dean of the CON.

G. Instructional academic staff will have voting rights in accordance with the CON Bylaws and Faculty Senate policy.

H. Not more than 20% of the faculty of the College of Nursing may consist of IAS ranked as clinical instructor, clinical assistant professor, and clinical associate professor.

I. Workload will be consistent with the CON workload policy.

II. Criteria: Titles, Credentials, Experience and Responsibilities

Please see the University Faculty and IAS Handbook, Academic Staff Personnel Matters (Chapters 2-9) for full explanation of titles, contracts, and progression policies as they relate to IAS.

A. Clinical Instructor/Lecturer

Degree: Master's Degree in Nursing or in progress with exception from the Wisconsin State Board of Nursing

Experience: One year clinical practice within the past three years in area of assigned teaching.

Responsibilities: Instructs students in the clinical setting within guidelines and course objectives and with guidance from mentor or level facilitator.

B. Clinical Assistant Professor/Lecturer
Degree: Master's in Nursing with specialty advanced certification and/or formal study beyond a masters in nursing. This could be course work for doctoral studies, course work toward or completion of a second master's degree, etc.

Experience: Minimum of three years clinical practice.

Responsibilities: Sustained evidence of effective teaching and clinical competence. Independent selection, organization and development of course content and instructional materials and approaches are expected.

C. Clinical Associate Professor

Degree: Doctorate in Nursing or related field.

Experience: Minimum of five (5) years full-time college teaching and five (5) years clinical practice in area of clinical specialty.

Responsibilities: Required evidence of outstanding contributions to teaching, clinical practice, and service, including recognition by others in the profession for demonstrably sustained superior contributions.

III. Reappointment Review/Merit Review

Reviews are conducted to determine reappointment and merit for all instructional academic staff. Reviews are the responsibility of the College of Nursing Personnel Committee which submits recommendations to the Dean of the CON. Criteria for reappointment and merit are developed by the Personnel Committee with input from IAS. Feedback is provided in accordance with the College of Nursing and University expectations. Only IAS with continuing contracts are considered for merit recommendations.
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APPENDIX B

ACADEMIC PROGRAM REVIEW

➢ Academic Program Policies and Procedures

➢ Academic Program Review Process
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Academic Program Policies and Procedures

University of Wisconsin Oshkosh
Curriculum Policies and Academic Approval Procedures

(NOTE: Curriculum approval forms are available from chairpersons or the Provost and Vice Chancellor’s Office. http://www.uwosh.edu/provost/resources/curriculum-forms/curriculum-forms)

GENERAL
This document constitutes university curriculum policies and procedures. It provides the framework for changes in existing courses, additions or deletions of courses, and additions to or changes in academic programs. These guidelines reflect the UW System "Academic Program and Planning Guidelines," Academic Informational Series I (ACIS-I.0), Revised April 2010.

In general undergraduate curriculum changes need approval from each of the following: department, division (L&S), college committee, the Dean, and the Provost and Vice Chancellor. Approval of the College Dean indicates no duplication of courses within the department or outside the department or college, and consultation with other Deans as appropriate. If any other Dean raises an objection to a proposal the two colleges will work together to resolve the issue. The approval process is summarized in the University of Wisconsin Oshkosh ACADEMIC COURSE CHANGE MATRIX included at the end of this section.

If a course is interdisciplinary, involving more than one department or program, a separate forms A should be approved by each department (program) and then forwarded to the next level of review. A similar procedure should be followed in the case of inter-college course proposals.

If a course proposal involves a request to meet General Education or Non-Western requirements, the proposal must be approved by the General Education Committee before it is forwarded to the Provost and Vice Chancellor.

Changes in the graduate curriculum follow the same procedures as above except that approval of the Graduate Council Course Approval Committee and the Office of Graduate Studies are required along with the college deans.

COURSE NUMBERING
There are five course levels at University of Wisconsin Oshkosh and each is recognized by the number assigned. Each level has a specific and differentiated educational expectation and purpose.

Non-credit Courses - Courses with the primary purpose of meeting special interests of clientele without formally holding the student accountable for subject matter learned during or at the end of the course. These courses may be structured to accommodate all subject matter.

Lower-level Undergraduate Courses (100-299) - Normally freshman and sophomore courses which provide basic skills, general understanding, and a fundamental foundation for advanced courses. Some lower-level courses have prerequisites.

Upper-level Undergraduate Courses (300-499) - Normally junior and senior courses which require a student to have sufficient academic preparation in the subject before being allowed to enroll in the course. Usually, this level course requires prerequisite courses.

"Dual-level" Undergraduate/Graduate Courses (300/500-400/699) - Junior, senior, and graduate courses which require that the course syllabus differentiate educational objectives and evaluation criteria required for students taking the course for undergraduate credit from students taking the course for graduate credit.
Graduate-only-level Courses (700) - Graduate-only courses which generally require substantial subject content background on the part of the student. Courses are structured so that a significant level of scholarship in the subject matter is attained by the student.

COURSE VALUATION
University of Wisconsin Oshkosh offers courses for academic credit, courses for non-credit, and courses that award Continuing Education Units. (Faculty expertise is a primary source for determining course valuation.)

Credit Courses - Academic activities which require a student to study and/or participate in an instructional setting (classroom, internships, field experience, career service, testing laboratory, etc.) and which require a formal assessment of learning outcomes.

Non-credit Courses - The primary intent of non-credit courses is to meet the special interests and needs of citizens in the University of Wisconsin Oshkosh service area.

Continuing Education Units (CEU) - These units of instruction and activities are also non-credit; however, a time requirement is connected with each CEU. For each ten hours of instruction and/or contact with an instructor, one (1) CEU is awarded.

Any non-credit instructional program which meets the following six criteria may be submitted to the Division of Continuing Education & Extension for CEU approval:
1. The activity is a continuing education learning experience.
2. There are instructional goals/objectives and a description of the program content and instructional methodology.
3. Content is organized and presented in a sequential manner.
4. The program planning and development includes input from the Division of Continuing Education & Extension personnel and University of Wisconsin Oshkosh faculty with expertise in the program area.
5. There is a provision for registration and certification for individual participants.
6. Minimum attendance, participation requirements, and appropriate evaluation criteria and procedures are specified for each program.

TYPES OF COURSES AND COURSE APPROVAL PROCESS
Four types of credit courses are recognized at this university: regular courses, trial courses, and contractual courses.

Regular Courses - A segment of educational activities formally organized into a common theme which in total constitutes a central core of knowledge about a given discipline (or disciplines in interdisciplinary courses). Also included within this category are certain "experiential" courses, such as internships and field experiences, where the student's primary educational activities are "practical applications" of previously learned principles and theories.

The approval processes for new courses, course revisions, and course deletions, with identification of the proper forms for approval of each action, are listed in the ACADEMIC COURSE CHANGE MATRIX.

Trial Courses - The purpose is to experiment with new academic thrusts which the faculty want to investigate in the enlargement and/or integration of a discipline.

The approval process for a trial course is listed in the ACADEMIC COURSE CHANGE MATRIX. A trial course may be offered no more than twice. If it appears worthy of further offering, the course should be resubmitted as a "regular course."
Contractual Courses - Two types of contractual courses are recognized: 

1. **Independent Study** - intended to allow a student to explore in-depth topics of scholarly interest which are not attainable through a “regular” or “trial” course. A contract designating the specific area of study and the required learning activities must be agreed upon by the instructor and student and approved by the college and Office of Graduate Studies, where applicable. Students then pursue the indicated topic of study independently with individualized guidance from the instructor.

2. **Related Readings** - intended to have an instructor become directly involved in probing assigned readings with the student in a tutorial relationship. The student pursues research usually well beyond that required in "regular" or "trial" courses. Before beginning the course, the student presents a bibliography of readings that he/she and the instructor have agreed upon and which are to be reviewed and discussed. The outcome is a formal paper evaluated by the instructor.

After a unit has a course approved as Independent Study or Related Readings, the decision to offer such a course to a particular student is made at the department or unit level and approved by the college and Office of Graduate Studies where applicable.

An undergraduate student may earn up to 12 credits in a combination of Independent Study and Related Reading credits toward the 120 credits bachelor's degree. A graduate student may apply up to 6 credits of Independent Study and Related Reading credits toward the master's degree.

**EXISTING COURSES - CHANGES AND DELETIONS**

**Changes** - The approval process for changes in existing courses such as title, cross listing, level, revision, or credit value, is listed in the ACADEMIC COURSE APPROVAL MATRIX.

**Deletions** - The approval process for a department or college to follow in deleting a course from their curriculum is listed in the ACADEMIC COURSE APPROVAL MATRIX.

A deleted course is one which is eliminated from a particular program curriculum. This means that it is removed from the **Bulletin** and the **Timetable**. A deleted course cannot be "resurrected." Any deleted course must go through the regular course approval process before it can be offered again. It must be noted on Form C when the course was previously deleted and the reason for that action.

The departments and college are expected to have a procedure for monitoring the frequency of existing courses, and the latitude to make decisions regarding future offerings.

**ACADEMIC PROGRAMS AND APPROVAL PROCESSES**

Following are definitions, criteria, and procedures for all academic programs within the university. Procedures for approval of new programs or changes in existing programs, with identification of appropriate forms for each action, are listed in the University of Wisconsin Oshkosh ACADEMIC PROGRAM CHANGE MATRIX. Additional information will be found in the Academic Information Series 1 (ACIS-1) GUIDELINES FOR ACADEMIC PROGRAM REVIEW (Revised July 2003). This document is available in the Provost and Vice Chancellor's Office.

**Major Program** - An academic program which normally requires a minimum of 33 credits toward a bachelor's degree or 12 credits toward a master's degree; it culminates in the awarding of a degree to which the University of Wisconsin Board of Regents has authorized entitlement.

**Minor Program** - (NOT APPLICABLE AT THE GRADUATE LEVEL) An identifiable sequence of courses with a minimum of 21 credits required in a subject field(s) which has been formally authorized by the UW System Administration.
**Emphasis Program** - A program series of courses consisting of a minimum of 9 credits designed to meet a "specialized focus" within an existing Board of Regents approved degree program and for which the UW System Administration has given formal approval.

A specialized focus is defined by either the need of a clientele or an additional area of specialization recently developed by the discipline.

An emphasis is a curricular offering which is listed by title or caption in catalogs, timetables, etc. The term "emphasis" replaces all existing terms of track, option, concentration, collateral, and other variously used academic program terms, except for major and minor programs and certification programs.

**Certification Programs** - An identifiable sequence of courses approved by either a state licensing agency, such as the Department of Public Instruction, or a professional organization, such as an accreditation association. Credit hour minima are specifically set by each agency and/or organization.

**Program Discontinuance** - Action to eliminate a minor or emphasis within a major shall, in consultation with the Dean, be initiated at the department/unit level. Upon approval by a majority of the academic department/unit a memorandum of justification for the recommendation of program discontinuance and Form C shall be forwarded to the next level of review. The statement in support of program discontinuance must contain sufficient detail and rationale. Among items that the statement should address are enrollment trends, existing and projected faculty resources and expertise, present and future job opportunities for graduates, relevancy of the program in light of changing foci of the academic discipline, and recent program evaluations. The statement must include a plan by which students already admitted shall be provided the opportunity to complete the program. Key provisions of the plan shall specify the conditions and the timelines for completion of all requirements.

The process and forms to eliminate a certification program are the same as for a minor with the exception that the UW System Administration is informed of the action.

**UNIVERSITY HONORS PROGRAM PROPOSED COURSE**

**Instruction to the Proposing Department**
The Department should forward the following information to the University Honors Committee.

1. **Description of Proposed Course**
   a. Course goals and objectives
   b. Is this a special section of a general education course? (Yes or No)
   c. Is this a special honors course which can be taken by students as an elective? (Yes or No)
   d. How does this course emphasize research and independent thinking?
   e. How is the content of this course developed to a deeper and more enriched level?
   f. Special activities associated with this course (e.g., field trips, projects, reading, artistic performances, seminars)
   g. Testing and evaluation procedures for the course
   h. Enrollment restrictions, if any
   i. Staffing and resource implications

2. **Course Syllabus and Bibliography**

3. **Evidence of Teaching Excellence** - Attach evidence of the teaching excellence of the faculty member(s) proposed to teach the course. A resume and list of publications should also be made available to the committee.
# UNIVERSITY OF WISCONSIN OSHKOSH ACADEMIC COURSE CHANGE MATRIX

## APPROVAL AND REVIEW LEVELS

<table>
<thead>
<tr>
<th>Academic Department/Unit</th>
<th>Division (L &amp; S)</th>
<th>Relevant College Committee</th>
<th>College Dean</th>
<th>Other Deans (if affected)</th>
<th>Faculty Senate**** (After APGES and APC)</th>
<th>Office of Graduate Studies and Graduate Council**</th>
<th>Provost and Vice Chancellor</th>
<th>Chancellor</th>
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</table>

### Forms to be completed

<table>
<thead>
<tr>
<th>Course Proposals</th>
<th>Y</th>
<th>N</th>
<th>N</th>
<th>N</th>
<th>IO</th>
<th>Y</th>
<th>Y</th>
<th>Y</th>
<th>IO</th>
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<tbody>
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<td>1. Title Change</td>
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<td>N</td>
<td>N</td>
<td>N</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
<td>A</td>
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<tr>
<td>2. New Course</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>R</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
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<td>A</td>
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<tr>
<td>3. Deletion*</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>R</td>
<td>Y</td>
<td>R</td>
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<td>4. Revision</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
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<td>5. Level Change</td>
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<td>Y</td>
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<tr>
<td>7. Trial Course</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
<td>Y</td>
<td>IO</td>
<td>Y</td>
<td>IO</td>
<td>A</td>
</tr>
</tbody>
</table>

### NO. OF COPIES REQUIRED:

| Undergraduate | *** | *** | *** | 1 | 1 | *** | --- | 1 | 1 |
| Graduate      | *** | *** | *** | 1 | 1 | *** | 1 | 1 | 1 |

### NOTATION:

- Y = Yes—requires approval/disapproval action
- N = No—requires no approval action or information
- IO = Information only—requires no approval action
- R = Review only—requires objection/no objection notification
- * = Review only—requires objection/no objection notification
- ** = Only on items relating to Graduate Curriculum
- *** = Depends on unit size
- **** = Only on items relating to changes in General Education

Appropriate forms are available in the Provost and Vice Chancellor's Office.

(Updated August 2008)
# UNIVERSITY OF WISCONSIN OSHKOSH ACADEMIC PROGRAM CHANGE MATRIX

## APPROVAL AND REVIEW LEVELS

<table>
<thead>
<tr>
<th>Academic Department/Unit Division (L &amp; S)</th>
<th>Relevant College Committee</th>
<th>College Dean</th>
<th>Other Deans (if affected)</th>
<th>Office of Graduate Studies and Graduate Council</th>
<th>Faculty Senate (After APC)</th>
<th>Provost and Vice Chancellor</th>
<th>Chancellor</th>
<th>UW System Administration</th>
<th>UW Regents</th>
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</thead>
<tbody>
<tr>
<td><strong>PROGRAM PROPOSALS</strong></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>1. New Major or Degree</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stage 1. Preliminary Entitlement</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
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<td>Y</td>
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<td>R</td>
<td>Y</td>
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<td>Y</td>
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<tr>
<td>Stage 4. Joint Review</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
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<tr>
<td>2. Degree Program Extended to a Second Institution</td>
<td>Y</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
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<tr>
<td>3. Substantive Redirection of Major/Degree</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
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<td>Y</td>
<td>Y</td>
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<tr>
<td>5. Rename Degree/Major/Minor (Submajor)/Emphasis</td>
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<td>Y</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
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<tr>
<td>6. Establishing a Submajor or Certification Program</td>
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<td>Y</td>
<td>Y</td>
<td>R</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
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<tr>
<td>7. Establish, Rename, or Eliminate Department</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
<td>IO</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
<td>IO</td>
</tr>
</tbody>
</table>

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**Information Needed**

- **Form C**
- **3** = Only on items relating to Graduate Curriculum.
- **4** = See UW System ACIS-1.0 guidelines for proper UW System formats & detailed explanations.
- **5** = See entitlement in UW System ACIS-1.0.
- **6** = No format specified by UW System; see Form C.
- **7** = Depends on unit size.
- **8** = Information only—requires no approval action.
- **9** = Review Only—requires objection/no objection notification.
- **10** = Yes—requires approval/disapproval action.
- **11** = Form C and ACIS-1.0 guidelines are available in the Provost and Vice Chancellor's Office.

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(Updated August 2008)
# Nontraditional Academic Programs*
## Approval and Review Levels

<table>
<thead>
<tr>
<th>Program Proposals</th>
<th>Faculty Comm.**</th>
<th>Affected Department Chairs***</th>
<th>Deans</th>
<th>CNL Academic Council</th>
<th>LLCE AVC</th>
<th>Faculty Senate (after APC)</th>
<th>Provost</th>
<th>Chancellor</th>
<th>UWSA</th>
<th>UW Regents</th>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
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<td>IO</td>
<td></td>
</tr>
<tr>
<td>Stage 2: Authorization to Implement</td>
<td>Y</td>
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<td>R</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
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<tr>
<td>Stage 3: Implementation</td>
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<td>IO</td>
<td>R</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
<td>--</td>
</tr>
<tr>
<td>Stage 4: Joint Review</td>
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<td>R</td>
<td>Y</td>
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<td>Y</td>
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<td>IO</td>
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<tr>
<td>2. Degree program extended to second institution</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td></td>
</tr>
<tr>
<td>3. Substantive redirection of Major/Degree</td>
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<td>IO</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
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<tr>
<td>5. Rename Degree/Major/Minor</td>
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<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
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<tr>
<td>6. Establish a Submajor or Certification Program</td>
<td>Y</td>
<td>IO</td>
<td>R</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>IO</td>
<td>IO</td>
</tr>
<tr>
<td>7. Establish, Rename, or Eliminate Department</td>
<td>--</td>
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</tbody>
</table>

Approved 04-14-06; updated August 2008.

* Interdisciplinary programs administered and delivered through the Center for New Learning within the Division of Lifelong Learning and Community Engagement

** Program Development Faculty Committee as defined in the Recommended Curricular Approval Process for Nontraditional Degree Programs.(Contact Provost and Vice Chancellor's office for copy.)

*** Chairs of departments with courses included in the proposed program curriculum.
Academic Program Review Process

Academic program review will occur every seven years except for new programs which must undergo a joint System and institution review after five years as specified in ACIS-1. Every effort will be made to schedule reviews to coincide with scheduled accreditation visits. (Sections of an accreditation report with content comparable to any of the information requested below may be inserted unchanged in the appropriate location.) Also, opportunity will be provided for Deans and/or program faculty to identify programs that, for any reason should be evaluated out of their usual seven-year cycle.

Program faculty and Deans should seek evaluation by external consultants as a supplement to the internal self-study. Consultants will be selected by program faculty in consultation with the Dean and Provost and Vice Chancellor. Consultant honoraria will be funded by the Provost’s Office; other expenses will be funded by the Department/College.

The program self-study document should not exceed 25 pages in length (excluding appendices), using a 1 ½” left margin and 1” right, top, and bottom margins, 12 pt font size, and double spacing. Both the document and appendices are to be as brief as possible.

GOALS OF ACADEMIC PROGRAM REVIEW

The program review process shall serve as a basis for program evaluation and for long-range curriculum and resource planning. Its goals are to:

I. Identify program goals, objectives and performance trends and relate them to College and University missions, goals, and societal needs

II. Document quality and adequacy of staffing

III. Analyze resource availability and utilization

IV. Evaluate strengths, weaknesses and needs

V. Recommend future directions

SELF-STUDY GUIDE FOR UNDERGRADUATE PROGRAM REVIEW

The following serves as a guide for academic program reviews. Individual colleges may establish additional qualitative or quantitative criteria.

I. Description of program (Major, Minor, and Service Functions)
   A. Statement of goals and objectives and their relationship to College and University missions and goals and to societal needs.
      1. How does the program support the mission of the College and University?
      2. How does the program serve to strengthen the Department, College, and University?
   B. Description of the major/minor and emphases. 
      Insert copy from current Undergraduate Bulletin, excluding course descriptions. If Bulletin is not current, add approved changes to current Bulletin copy. Nothing else is to be inserted here.
   C. Describe major changes in the program since the last review and list courses added or dropped since that time. Have these changes kept the curriculum current?
   D. Program Performance
      1. Trends relating to program performance for the past seven years. Insert the following tables which will be provided by Office of Institutional Research. Nothing else is to be inserted here.
         a. Number of majors (head count)
         b. Number of minors (head count)
I. Number of degrees granted

c. SCH production by department
d. SCH per FTE (if available)
e. Credits to Degree
f. Semesters to Degree

II. Course Scheduling Patterns/Enrollment

2. Insert course scheduling patterns table provided by Office of Institutional Research.

b. List all department courses in the current Bulletin which have not been offered within the last three years and briefly explain why each was not offered.
c. Provide enrollment projections for the next five years (for the numbers of majors and minors only). Indicate data source/basis for projections.

III. Staffing

A. Faculty. Insert table of ranked faculty and continuing academic staff provided by Office of Institutional Research and fill in specialty column. Append a brief CV for each person listed above, to include at a minimum:

1. Credentials
2. Juried publications, papers, and posters; creative accomplishments; and funded grants for the past seven years
3. Sabbaticals during the past seven years
4. Involvement with field-based professional and/or clinical activities and service over the past seven years

B. Adequacy of Staffing

1. Insert table from Office of Institutional Research indicating changes in faculty by resignation, retirement, non-retention, etc. since the last program review (supplement table as necessary).

B. Describe problems, if any, in recruiting and/or retaining faculty. How have these problems been addressed?
3. Describe departmental teaching load policy.
4. List activities in which faculty currently engage without credit against teaching load, e.g., small sections taught as overload and independent study.

C. Describe clerical and administrative support staff and needs

IV. Resources

A. Address the adequacy and quality of support services which are critical to the major/minor.

1. Library collections and/or services
2. Non-print media collection
3. Computing services
4. Testing services
5. Availability of appropriate physical facilities, equipment, etc.
6. Other (please specify)

B. Extramural programmatic funding

IV. Evaluation

A. Append any assessment of the program by external consultants or accreditation groups and your response to the assessment.

B. Describe results of assessment of student learning outcomes and how these results have affected the program, curriculum, and assessment procedures.
C. Describe evidence of student satisfaction with the program. Provide results of surveys of alumni and students.
D. Cite the placement and/or graduate program admissions experience of graduates.
E. Cite employer evaluation of graduates (where applicable).
F. Summarize areas of strength and weakness for the program.

V. Recommendations

A. List the recommendations of the Dean and Provost from the last program review and indicate actions taken in response to those recommendations.
B. Have any changes been made or proposed as a result of this program review? Please explain.
C. Indicate any additional recommendations regarding the future of the program, including support and resources needed. These recommendations should be based on the information presented and discussed in this program review.

SELF-STUDY GUIDE FOR GRADUATE PROGRAM REVIEW

The following serves as a guide for the review of graduate academic programs. The Graduate Council and/or individual colleges, in consultation with the Graduate Council, may establish whatever additional qualitative or quantitative criteria they deem appropriate for use in their evaluation efforts. Qualitative factors are considered of prime concern in the academic review process.

I. Overview of the program

A. Goals and Objectives
   1. Program
   2. Relationship to mission for Graduate Studies on this campus
B. Description
   1. Emphases, number of credits, and requirements for each emphasis
   2. Admission requirements unique to the program
   3. Process used for Admission to candidacy
   4. Culminating experience requirement(s)

II. Program Performance/Quality/Evaluation

A. Data relating to program performance (use tables)
   1. Number of students enrolled in program over a period of seven years (year-by-year data)
   2. Degrees awarded (year-by-year data)
   3. Average length of time to complete degree
B. Indicate changes and modification that have occurred since the previous program review.
C. Use standards of professional associations, accreditation bodies, and certification requirements when applicable for program review.
D. Provide the evaluation report of the program by external consultants or accrediting bodies and include a response to such reports. External consultants will be selected by program faculty in consultation with the Graduate Council, Dean, chief officer of the Office of Graduate Studies and Provost and Vice Chancellor.
E. Describe results of assessment of student learning outcomes and how these results have affected the program, curriculum and assessment procedures.
F. Provide evidence of student satisfaction with the program
   1. Evaluation of the program by graduates
   2. Surveys or other comments
   3. Employer evaluations
   4. Placement and/or achievement of graduates
   5. Student evaluation of program
   6. What have students identified as a major issue in the program?
G. Trends influencing the program
   1. Describe the continuing needs for the program in terms of local, regional, and national trends.
2. Indicate the immediate and projected employment and career opportunities available to program graduates.
3. Identify key factors that may influence the future direction of the program.
4. Identify the primary strengths and weaknesses of the program relative to professional standards and quality.

III. Curriculum Management

A. Indicate dual and graduate level courses by number and enrollment by section in each course offered during the past seven years (use table).

<table>
<thead>
<tr>
<th>Total Courses</th>
<th>Fall</th>
<th>Spring</th>
<th>Summer</th>
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<tbody>
<tr>
<td>Dual level courses</td>
<td>_____</td>
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<td>_____</td>
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<tr>
<td>Graduate level courses</td>
<td>_____</td>
<td>_____</td>
<td>_____</td>
</tr>
</tbody>
</table>

B. Describe any special scheduling for part-time students.
C. Describe resources needed for the graduate program, and explain how they will contribute to the overall effectiveness and efficiency of the program.
D. Indicate activities which faculty must engage in without credit against teaching load, e.g., small sections taught as overload, independent study, thesis advising.

IV. External Activities

A. Describe community outreach and/or in-service efforts.
B. Describe extramural or grant activities which have been developed for graduate program support.

V. Faculty

A. Describe faculty qualifications to teach graduate level courses—list courses and faculty expertise in those areas.
B. Describe the strengths, growth and development of graduate faculty.
C. Describe any changes in graduate faculty that have directly affected the program. How have these problems been addressed?
D. State the FTE (as part of load) that are assigned to the graduate program.

VI. Support Staff and Services

A. Describe support staff and needs that are related to the graduate program.
B. Address the adequacy and quality of support services which are critical to the graduate program.
C. Describe how Graduate Assistant workload is apportioned.

VII. Recommendations and Evaluation

A. Identify the strengths, weaknesses, and problem areas of the program as related to curriculum, productivity, faculty, support staff and services.
B. Make specific recommendations regarding the future needs of the program.
C. Establish timeline for implementation of recommendations.
D. Report progress toward the implementation of recommendations as part of annual program report.
University of Wisconsin Oshkosh
Academic Program Review Process

1. Unit/Department identifies self-study committee.

2. Self-study committee identifies external consultant(s)
to be approved by the Dean and Provost.

3. Office of Institutional Research prepares quantitative data for
program under review.

4. Program faculty completes self-study.

5. External consultant visits campus and completes report.

6. Program faculty committee(s) and chair complete program review assessment
including response to consultant’s report.

7. College Program Review Committee reviews program assessments and makes
recommendations with copies to the dean and department chair.

8. Dean reviews program assessment and college committee recommendations and makes
recommendations with copies to the college committee and department chair.

9. If a graduate program, Graduate Council reviews program assessment and recommendations of
college committee and college dean, and makes own recommendations with copies to the
college dean, college committee, and department chair.

10. Academic Policies Committee reviews program assessment and recommendations of previous levels
and makes own recommendations with copies to the college dean, college committee,
and department chair.

11. Faculty Senate reviews program assessment and recommendations for information.

12. Provost and Vice Chancellor reviews all materials, recommendations, etc.,
and makes recommendations to the department with copies to the dean, college committee,
APC, and Graduate Council (if graduate program).


Revised August 2005
Academic Program Review Process for Certification Programs

The program self-study document should not exceed 25 pages in length (excluding appendices), using a 1 ½" left margin and 1" right, top, and bottom margins, 12 pt font size, and double spacing. Both the document and appendices are to be as brief as possible.

GOALS OF ACADEMIC PROGRAM REVIEW OF CERTIFICATE PROGRAMS

The program review process shall serve as a basis for program evaluation and for long-range curriculum and resource planning. Its goals are to:

I. Identify program goals, objectives and performance trends and relate them to College and University missions, goals, and societal needs

II. Document quality and adequacy of staffing

III. Analyze resource availability and utilization

IV. Evaluate strengths, weaknesses and needs

V. Recommend future directions

SELF-STUDY GUIDE FOR PROGRAM REVIEW OF CERTIFICATE PROGRAMS

The following serves as a guide for academic program reviews of certificate. Individual colleges may establish additional qualitative or quantitative criteria.

I. Description of certificate program
   A. Statement of goals and objectives and their relationship to College and University missions and goals and to societal needs.
      1. How does the program support the mission of the College and University?
      2. How does the program serve to strengthen the Department, College, and University?
   B. Description of the courses in the certificate program.
      Insert copy from current Undergraduate Bulletin, excluding course descriptions. If Bulletin is not current, add approved changes to current Bulletin copy. Nothing else is to be inserted here.
   C. Describe major changes in the certificate program since the last review and list courses added or dropped since that time. Have these changes kept the curriculum current?
   D. Program Performance
      1. Trends relating to program performance for the past four years. Insert the following tables which will be provided by Office of Institutional Research. Nothing else is to be inserted here.
         a. Number of program certificates granted
         b. SCH production by certificate program
      2. Course Scheduling Patterns/Enrollment
         a. Insert course scheduling patterns table provided by Office of Institutional Research.
         b. List all department courses in the current Bulletin which have not been offered within the last three years and briefly explain why each was not offered.
         c. Provide enrollment projections for the next three years. (Indicate data source/basis for projections.

II. Staffing
   A. Faculty. Insert table of ranked faculty and continuing academic staff provided by Office of Institutional Research and fill in specialty column. Append a brief CV for each person listed
above only if they are not faculty or academic staff at UW Oshkosh. Information should include:

1. **Credentials**
2. Juried publications, papers, and posters; creative accomplishments; and funded grants for the past four years
3. Sabbaticals during the past four years
4. Involvement with field-based professional and/or clinical activities and service over the past seven years

B. **Adequacy of Staffing**

1. *Insert table from Office of Institutional Research indicating changes in faculty by resignation, retirement, non-retention, etc. since the last program review (supplement table as necessary).*
2. Describe problems, if any, in recruiting and/or retaining faculty. How have these problems been addressed?
3. Describe clerical and administrative support staff and needs

III. **Resources**

A. Address the adequacy and quality of support services which are critical to the major/minor.

1. Library collections and/or services
2. Non-print media collection
3. Computing services
4. Testing services
5. Availability of appropriate physical facilities, equipment, etc.
6. Other (please specify)

B. **Extramural programmatic funding**

IV. **Evaluation**

A. Describe results of assessment of student learning outcomes and how these results have affected the program, curriculum, and assessment procedures.

B. **Describe evidence of student satisfaction with the program. Provide results of surveys of alumni and students.**

C. **Cite employer evaluation of program completers (where applicable).**

D. **Summarize areas of strength and weakness for the program.**

V. **Recommendations**

A. **List the recommendations of the Dean and Provost from the last program review and indicate actions taken in response to those recommendations.**

B. **Have any changes been made or proposed as a result of this program review? Please explain.**

C. **Indicate any additional recommendations regarding the future of the program, including support and resources needed. These recommendations should be based on the information presented and discussed in this program review.**

1. Describe the continuing needs for the program in terms of local, regional, and national trends.
2. **Indicate the immediate and projected employment and career opportunities available to program graduates.**
3. **Identify key factors that may influence the future direction of the program.**

D. **Identify the primary strengths and weaknesses of the program relative to professional standards and quality.**
University of Wisconsin Oshkosh
Academic Program Review Process

Unit/Department identifies self-study committee.

Office of Institutional Research prepares quantitative data for program under review.

Certification Program faculty/Director completes self-study.

Program faculty committee(s) and chair complete program review assessment including response to consultant’s report.

College Program Review Committee reviews program assessments and makes recommendations with copies to the dean and department chair.

Dean reviews program assessment and college committee recommendations and makes recommendations with copies to the college committee and department chair.

If a graduate program, Graduate Council reviews program assessment and recommendations of college committee and college dean, and makes own recommendations with copies to the college dean, college committee, and department chair.

Academic Policies Committee reviews program assessment and recommendations of previous levels and makes own recommendations with copies to the college dean, college committee, and department chair.

Faculty Senate reviews program assessment and recommendations for information.

Provost and Vice Chancellor reviews all materials, recommendations, etc., and makes recommendations to the department with copies to the dean, college committee, APC, and Graduate Council (if graduate program).

Provost and Vice Chancellor prepares summary report for System Administration.

Faculty Senate Approved: 04-28-09
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Academic Assessment

Academic program assessment will occur every two years. The biennial program assessment report form is available on the Office of the Provost’s Academic Affairs website. The report will have five sections: 1) Program Goals and Intended Student Learning Outcomes; 2) Assessment Methods/Tools Appropriate for Learning Outcome; 3) Analysis of Results Feedback Mechanisms; 4) Interpretation of Assessment Results; and 5) Assessment Results Used to Inform Change or Improvement. These reports are to be summarized and included in the evaluation portion of the program review self-study document.

Academic Assessment Process

1. Program informed when assessment is due
2. Program identifies person to draft report with input from other members
3. Biennial Program Assessment Report reviewed by Faculty Senate Committee on Assessment and Student Learning (FSCASL).
4. FSCASL provides the program feedback on its assessment report.
5. If the FSCASL recommends changes, the report will be reviewed again.
6. The final Program Assessment report is to be included in the program’s 7-year review self-study document.