The regular meeting of University Senate was called to order by Chair Harrison at 3:07 p.m. on Tuesday, March 9, 2004 in the Council Fire Room of Davies Center.

I. Without objection, minutes of February 24, 2004 meeting of University Senate approved as corrected
   ● Page 2, Section IV, spelling of Secretary of Education Rod Paige

II. Chancellor’s Remarks – Chancellor Mash
   ● Received many emails concerning snow cancellation last Friday
     ● Reviewing procedures for cancellations
     ● If could do over, would have canceled earlier
     ● Little fuss about need to cancel; most concern came from folks who managed to get here, then found no classes and nowhere to park
     ● Snow came down hard and fast, which made clearing lots difficult
   ● Two items from Board of Regents meeting last week
     ● Taxpayers Bill of Right (TABOR), as amendment to constitution to control taxes, being talked about by Republican legislators after failure to override governor’s property tax freeze veto
       ● Similar actions occurring around country – particularly in Colorado
         ● As result, Colorado has significant problems; even when have dollars to spend, can’t spend them on things state needs
         ● State finances are a mess with university system now getting about 10% of its funding from state
       ● John Gard, Speaker of Assembly, responding to regents pointing to disaster in Colorado, indicated particulars have been changed so not like Colorado law
     ● Don’t know how eventually will come down; see as serious challenge to already threatening fiscal climate
       ● One senate in system already taken position against TABOR; probably better to wait and see what legislation actually says
       ● Rest assured UW-System hard at work to fend this off
• Beginning to look at request for 2005-2007 biennial budget
  • Regents heard presentation on asking state for increased funding for financial aid given way tuitions have risen – roughly 17% this year and additional 17% next year
  • But UW-System itself really needs attention; 2005-2007 may not be much better than current biennium
  • When tuition suppressed and state funds also not forthcoming, system is in trouble
    • If had not been for significant tuition increase, would have been in world of hurt
  • While many students can afford to pay more tuition, some can’t
    • That is where financial aid piece comes into play
  • To continue reasonable tuition increases at least doesn’t ignore that important part of our revenue stream
  • Will continue to bring updates on framing of budget request for 2005-2007

• Article in Sunday Wisconsin State Journal talked about increasing selectivity of UW-Eau Claire and UW-La Crosse – why happening and what great places they are
  • As result, getting lots of favorable comments; folks closer to universities geographically already knew this, now people from around state do
  • Can only be helpful in terms of our reputation
  • I made comment in article that while great place for undergraduate education, ability to become more selective due to shrinking financial capacity system-wide
    • Began in mid-1980s when had 11,300 students; now over 15 years later have 10,500 students
  • Mentioned this because when these articles published, to some appears as though budget cuts not making much difference even though we talk about how damaging they are
    • Then they take it a step further thinking maybe we could manage additional cuts
      • System continuing to look at way to talk about cuts so general public not only hears, but cares
      • If anyone has suggestions of how to make this message crisper, clearer, and directed to well-being of general public, let us know
  • Pain stories of past, such as additional students in sections, and fewer sections, don’t seem to capture public imagination
    • Nor does talk about quality
  • Have decided to approach a little differently – saying, yes, doing great job today with students we have because controlling growth and focusing on core functions
    • But are things we are not and can not do that sooner or later you are going to miss
    • Am writing a piece for Leader-Telegram to list what in danger of not getting five years from now if trend continues
  • Challenge going forward is to convince not regents, nor system staff, but general public and certainly also the governor and legislature

• Comment from floor
  • Would like to add to message that having great difficulty in some disciplines recruiting new faculty and holding existing faculty
    • Without substantial or any kind of pay raises, will get more difficult
    • That threatens future health of UW-Eau Claire
  • Don’t disagree, but that already something public and legislature hearing
    • They see we have faculty so someone filling positions
    • Look at faculty salaries and think they look pretty good
    • Those in academia understand impact; general public not upset enough to act

III. Chair and Faculty Representative’s Report – Chair Harrison
  • Next meeting of faculty representatives in Madison on March 26, 2004
  • Don’t be alarmed when read paragraph in Board of Regents section of chair’s report from George Brooks concerning position cuts
    • UW-Eau Claire planned ahead so not making additional cuts; already taken care of last year
  • Next Board of Regents meeting April 1 and 2, 2004 in Madison
  • Have not heard yet from system on final faculty and academic staff members on search and screen committee for system president

IV. Academic Staff Representative’s Report – No Report
V. Unfinished Business

Academic Policies Committee – Second Reading

CE Prefix

Continued Debate
- Was some discussion at last meeting about setting precedent for prefixes not associated with degrees
  - Are large number of already existing prefixes not attached to degrees, majors, or minors

Vote on Motion 40-AP-11: Motion PASSED by vote of 21 for, 6 against by University Faculty Senators.

VI. Reports of Committees

- Executive Committee – Chair Harrison
  - In addition to information in chair’s report, decided to hold University Senate meeting on March 30, 2004; makes up for meeting lost to spring break
  - Next meeting of committee on March 16, 2004

- Faculty Personnel Committee – Senator Wick
  - Next meeting March 16, 2004 with agenda items
    - Discussion of distribution of DPC minutes
    - Policies on dismissals/complaints and grievances
    - Consideration of language for selection of chairs criteria
    - Consideration of language regarding authoring of handbook language itself

- Academic Staff Personnel Committee – No Report

- Academic Policies Committee – Senator Syverson
  - Continue discussing assessment; will continue at next meeting on March 16, 2004

FOR THE RECORD

Approved certificate program in Health and Aging Services Administration

Without objection, item entered into record

- Also approved recommended name change for teaching program in theatre arts to align with changing DPI standards; will be coming forward to Senate

- Physical Plant Planning Committee – No Report

- Budget Committee – No Report

- Compensation Committee – Vice Chair Gapko
  - Meeting date not set; will be primarily discussing post-tenure review salary adjustment policies
  - Would like response from academic staff members on whether or not to create separate document for academic staff addressing similar issue
    - Last year were looking at quality investment for both faculty and academic staff with dollars to come from base budget – didn’t happen last year because of budget concerns
    - Now post-tenure review and salary adjustment documents coming through Faculty Personnel and Compensation Committees without academic staff included
    - Would like to hear what academic staff want us to do next

- Nominating Committee – No Report

- Technology Committee – No Report

Chair Harrison introduced Chad Wade, President-Elect of Student Senate

VII. Special Reports – None
VIII. Miscellaneous Business

As reported previously, Executive Committee reached consensus that respective bylaws relating to election of academic staff representative and faculty representative be voted on solely by related group

- Without objection, will proceed accordingly

Chair Harrison, because co-sponsoring motion, turned over chair of meeting to Vice Chair Gapko

A. Senators Lane and Harrison – First Reading

Report on Faculty Representative Election Revisions – Senator Harrison

- Two key reasons for motion – opportunity and representation
  - Current language allows for separate faculty rep to be elected if chair of senate is academic staff, but combines two roles when chair is faculty
  - Proposed language separates roles to allow for either one or two people, providing additional opportunity for faculty involvement
  - Recommending that faculty rep be tenured to insure DPC experience and provide greater sense of freedom to speak out
  - Proposed language lets faculty senators vote directly for faculty rep
    - Currently, faculty member elected senate chair automatically becomes faculty rep
    - Since all senators vote for officers, academic staff vote on faculty rep
  - Although have some reservations about maintaining strong communication link between senate chair and faculty rep, endorse change in language
    - If doesn’t work, can always change back in future

Motion 40-US-01

Moved by Senators Harrison and Lane that the University Senate Bylaws in the Faculty and Academic Staff Handbook, Chapter 3, page 24 be changed as follows.

Faculty Representative to UW System

18. The Faculty Representative to the University of Wisconsin System shall always be a member of the University Faculty, either the University Senate Chair or Vice Chair be elected by the faculty members and from the tenured faculty members of the University Senate at the first fall-semester meeting of the University Senate of even-numbered years. The Faculty Representative term of office shall be for two years serves a two-year term beginning with the start of the academic year in odd-numbered years.

The Faculty Representative serves as an ex officio (and voting) member of the University Senate and the University Senate Executive Committee and if his/her term on the University Senate expires, the Faculty Representative becomes an ex officio (and voting) member of the University Senate for the remainder of his/her term of office as Faculty Representative. The Faculty Representative shall represent the faculty at UW System meetings of the Faculty Representatives and at other appropriate meetings where concerns of the faculty are discussed; participate, as requested, in governance committees; and be responsible for reporting actions and information relevant to faculty to the University Senate, to faculty-related committees, and, when appropriate, to the faculty.

[The faculty may, either directly or by action of the faculty of the University Senate, alter this bylaw.]

Debate

- Currently faculty representative has 20% appointment; senate chair has 40% appointment
  - Written in handbook – faculty rep appointment about equivalent to one course

Without objection, vote on motion postponed until next meeting

Meeting turned back over to Chair Harrison
B. Faculty Personnel Committee – First Reading

Report on Post-Tenure Review – Senator Wick

- Faculty Personnel Committee talking about process of post-tenure review for two reasons
  - Asked by Handbook Review Committee to look at periodic review policies in handbook
    - Post-tenure is one form of periodic review, so noticed rules in that light
  - Also noticed rules as work going on attempting to infuse money into post-tenure review process
  - Structure of post-tenure review not well specified in handbook
    - Total of two lines, not together, indicating that it would be done and that it would be given back to faculty member when finished
    - Took it upon ourselves to develop more structured approach to post-tenure review

Motion 40-FP-04

Moved and seconded by Faculty Personnel Committee (7 for, 0 against) that the following changes be made to the Faculty and Academic Staff Handbook, Chapter 5.

Page 5.9

**Subcommittees**

The Department Personnel Committee procedures shall provide for promotion subcommittees as specified in the sections on Promotion in Rank and Post-Tenure Review. The Committee procedures may also provide for the delegation of any of the committee functions and responsibilities, other than those specified for the promotion and post-tenure review subcommittees, to one or more subcommittees whose membership must be formed with the membership of the Department Personnel Committee.

Page 5.17

**Faculty Personnel Rules**

UWS 3.05 PERIODIC REVIEW

**UWEC 3.05 Purpose**

The University of Wisconsin – Eau Claire is committed to a continuous self-evaluation as one means of ensuring the quality of the education it offers students. The periodic review of faculty performance is an integral part of this process. As such, it has as its primary purpose the maintenance and improvement of the quality of instruction provided by the individual faculty member and the quality of programs offered at the departmental or College levels. Recognizing that teaching, research, and professional development, service to the public, the profession, and the University, as well as all other types of scholarly activity, contribute to the quality of educational opportunity available at the University, all faculty shall be evaluated in all aspects of the fulfillment of their professional commitment to the institution.

The Department Chair, the Department Personnel Committee (DPC), the DPC promotion subcommittee, and designated academic administrators participate in one or more of the several phases of periodic review of each faculty member listed below.

<table>
<thead>
<tr>
<th>Phase</th>
<th>Frequency</th>
<th>Initiated By</th>
</tr>
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<tbody>
<tr>
<td>Salary Review</td>
<td>Annually</td>
<td>Department Chair</td>
</tr>
<tr>
<td>Reappointment</td>
<td>Annually through the fifth probationary year</td>
<td>Department Personnel Committee and Department Chair</td>
</tr>
<tr>
<td>Review</td>
<td></td>
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<tr>
<td>Tenure Review</td>
<td>Prior to the seventh probationary year</td>
<td>Department Personnel Committee and Department Chair</td>
</tr>
<tr>
<td>Promotion</td>
<td>After satisfaction of applicable criteria</td>
<td>Department Personnel</td>
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Review Committee (Appropriate Promotion Subcommittee) and Department Chair

<table>
<thead>
<tr>
<th>Post-Tenure Review</th>
<th>Committee (Appropriate Promotion Subcommittee) and Department Chair</th>
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<tbody>
<tr>
<td><strong>During the fifth year following tenure or promotion, whichever is more recent and then during every subsequent fifth year. At least every five years following tenure and/or promotion.</strong></td>
<td>Department Personnel Committee (Appropriate Promotion Subcommittee)</td>
</tr>
</tbody>
</table>

**Page 5.26 just before “DISMISSAL FOR CAUSE” section (this section is all new)**

**POST-TENURE REVIEW**

**Post-Tenure Review Subcommittee of the Department Personnel Committee**

**Membership**

Each post-tenure review subcommittee shall consist of members of the Department Personnel Committee that hold the same or higher rank as those being reviewed.

**Organization**

Initially, and as necessary thereafter, the Department Chair shall call meetings of the appropriate tenured members of the department for the purpose of organizing the necessary post-tenure review subcommittees. For all assistant professors scheduled for a post-tenure review, a post-tenure review subcommittee shall be formed from all remaining members of the DPC holding a rank of Assistant Professor or higher. For all associate professors scheduled for a post-tenure review, a post-tenure review subcommittee shall be formed from all remaining members of the DPC holding a rank of Associate Professor or higher. For all professors scheduled for a post-tenure review, a post-tenure review subcommittee shall be formed from all remaining members of the DPC holding the rank of Professor. In no case shall a member of the DPC serve on a post-tenure review subcommittee during the same year in which he/she is also undergoing a post-tenure review.

In order to formally organize and perform a review, a post-tenure subcommittee must have three or more members. Each eligible faculty member has a responsibility to serve on all appropriate post-tenure review subcommittees. Moreover, there is no provision for resignation from these subcommittees. An individual must decline to participate in actions of the subcommittee when there is a real or perceived conflict of interest. If the failure of an individual faculty member to participate in the subcommittee’s actions reduces the number of participating members to fewer than three, then for the purpose of those actions, the functional equivalent (see below) shall replace the committee.

**Functional Equivalent**

If any of the post-tenure review subcommittees cannot be formed because of insufficient numbers of eligible members, then the Department Chair in conjunction with the faculty eligible for membership on the appropriate post-tenure review subcommittee shall operate as the functional equivalent of the post-tenure review subcommittee.

The functional equivalent shall be treated as the post-tenure review subcommittee in all respects and must adhere to the normal policies and procedures (including meeting announcement procedures) that govern the operation of the post-tenure review subcommittee.

In those cases where the Department Chair is the sole member of the functional equivalent, the normal meeting announcement procedures do not apply.

**Charge to the Committees**

Each post-tenure review subcommittee shall be responsible for conducting a review of those faculty members who are scheduled for post-tenure reviews and who hold a rank no higher than that of any member of the subcommittee. Each review shall be both summative and formative in nature with the express purpose of both...
evaluating past performance and facilitating improvement in future performance. Each subcommittee shall develop a written evaluation for its assigned faculty members. For faculty under the rank of Professor, the evaluation must include explicit discussion of the faculty member’s progress toward promotion to the next rank. For faculty at the rank of Professor, the evaluation must include explicit discussion of the faculty member’s growth and professional development. The written evaluation shall not contain any recommendations as to administrative action to be taken as a result of the review.

Procedures
Each post-tenure review subcommittee shall give the faculty member at least 20 days advance written notice of the start of the post-tenure review process. This notice will inform the faculty member of his/her right to present to the committee written information related to the faculty member’s performance and of his/her right to request an opportunity to appear before the committee to explain the information presented and to provide input to focus the formative portion of the evaluation. At the time the reviewing subcommittee forwards its written evaluation to the Department Chair, written notice must be given to the faculty member indicating that the review has been completed and that the written evaluation has been submitted. This notice shall include a copy of the written report and shall inform the faculty member of his/her right to discuss the report with the Department Chair and of his/her right to submit to the Department Chair a written response to the report within 5 days of the notice. After reviewing the submitted materials, the Department Chair may attach an additional written response to the subcommittee report. The Department Chair shall then return the evaluation and any responses to the faculty member and acknowledge completion of the process to the Dean.

Post-Tenure Review of the Department Chair
The post-tenure review of the Department Chair shall adhere to the normal policies and procedures that govern all post-tenure reviews except that the most senior member of the post-tenure review subcommittee shall fulfill those responsibilities normally associated with the Department Chair. As with all post-tenure reviews, the evaluation of the Department Chair shall be conducted relative to the faculty performance criteria outlined in Department Evaluation Plan of the Chair’s department. In particular, the Department Chair is to be evaluated against criteria for teaching, scholarship, service and advising and not just their assigned administrative duties. In those cases where there are no eligible faculty to serve on the post-tenure review subcommittee for the Department Chair, the Dean in consultation with the Department Chair, shall select three tenured faculty at or above the rank of the Department Chair and from disciplines similar to that of the Department Chair to serve as the post-tenure review committee. This committee shall be explicitly instructed to limit their review to the policies outlined in the Department Evaluation Plan of the Chair’s department. The Dean shall appoint one member of the post-tenure review committee to assume the responsibilities normally delegated to the Department Chair in the post-tenure review process.

Debate
- See two problems – requirements that there be three people on committee and that they be same rank or higher
  - Three member committee puts huge burden on smaller departments
- Followed practice of DPC subcommittees to be consistent
  - Would have two if only two available; three not magic number, just when alternative ways of composing committee kick in
  - Justification to have same or higher rank is that review designed to be both summative and formative
    - Believe rank should mean something – to do summative reviews of faculty members above your rank could pose serious complications
    - For instance, if associate professors review full professors, could be concern that associate professors will have past reviews held against them when up for promotion – safer to be at same rank or above
- Committee spent great deal of time talking about small DPC problems
  - Supplies some structure to post-tenure review, which was not there at all
  - Can’t have promotion subcommittee or tenure decision without three members, so this is in line with what DPCs already doing
  - Once below that level of membership, functional equivalent used
  - For department chair evaluation, functional equivalent would be people of rank from similar disciplines
    - Reviewing not administrative portion, but faculty portion of chair’s work
- Is workload issue – but mandated by system policy to do post-tenure review every five years
• Broadening number of people eligible to participate, would spread work around
• Our department policy for five or six years is committee of two
• Nothing sacred about having three people; especially in smaller departments
• True in any small department; why functional equivalent included
• Since post-tenure review not designed for administrative action, committee felt more likely to get honest and sincere evaluation if only goes back to faculty member and not up administrative channels where it might be misinterpreted
• Can’t figure out how you tie money to post-tenure review without involving key administration
• You can’t, will have to be documentation associated with any review process that results in financial reward; however, are two separate issues
• Motion in front of Compensation Committee says if faculty member chooses to be considered for salary increment, review will need to be forwarded through administrative channels
• So will be faculty choice
• Because promotion review is substantive peer review, permitted by system policy to take place of post-tenure review
  • For those that receive promotion after tenure, next review is five years after promotion
• Going from something not defined at all to something highly defined
• Some departments have been doing this and it has been working quite well
• Don’t see why you couldn’t say two or more members on committee; adds flexibility
• Idea was that if there were not three eligible, would be two or whatever
  • Committee thought if eligible, was responsibility to participate in review of tenured faculty
• Seems are at least couple of departments that have been doing this on regular basis and two works
• Is concern that post-tenure review process not conducted appropriately on campus
  • Not allowed to opt out of other subcommittees; why not serve on this one if eligible
• If two works, three is waste of time
  • It’s benefits against costs; before say three, maybe should check whether two works
• Concerned about making one set of rules for one thing DPC does and another set for another thing
  • Must have three tenured faculty persons to operate DPC
  • This evaluation initiated by DPC, not by member; does not require member to provide any documentation
  • What if two people on committee disagree with each other?
• Nothing magic about three, committee did it to be consistent
• This is first reading; can bring document to own DPCs to have them look at it
• Wondering if there was consultation with other departments to see what already done
  • Our department has procedures in place for post-tenure review that include committee of two
• Only informally, no formal survey done
• Assumption that would take effect beginning of next academic year
• University Faculty Senators, whether tenured or not, will vote on motion because personnel issue
• Thinking more appropriate show motion to entire department, not just DPC
• In attempting to build consistent set of policies and procedures, department chair organizes committees
  • Current policies for DPC promotion subcommittees stem from organization by chair of department
  • Followed same procedures – not frequently used, but is handbook policy
• Most interesting part of conversation is now in Compensation Committee
  • Would like to look at pieces together because who knows what will happen next
• Since required to do post-tenure reviews regardless of whether compensation involved, would be nice to have in handbook
• Why pass something with summative element to it if we don’t know if there is any money?
  • Originally post-tenure review was to be formative
  • Would like to hear both sides
• Probably already doing formative piece and making some kind of summary statement in post-tenure review
  • Compensation plan, not yet seen, irrelevant to fact there should be formative statement
  • Ownership of evaluation belongs to faculty person who would then have what necessary to apply for post-tenure compensation plan
• Have lots of post-tenure faculty who need both summative and formative evaluations for promotion to professor

• Seems number of people undergoing review before professor level will be less than number after professor level

• Ready to take back and consider this issue; satisfied that people doing reviews will become sensitive to compensation issue once that comes forward

• Thinking about potential unfairness because this will be put into effect immediately; if compensation takes longer, somebody could come up for post-tenure review before compensation piece in place

• A year later, those coming up for post-tenure review will likely have money attached

• Post-tenure salary adjustment motion already on table in Compensation Committee; hope to get it on senate floor before end of semester

• Will partly depend upon what academic staff decides to bring forward

• With implementation date of fall 2004, motion for compensation could also be in place

• Committee did consider – sensitive to that in same way as when raise promotion amounts; those just promoted left out

• If ever going to move up from where we are, that will inevitably happen

• Beauty of this approach is in five years will be eligible again

• Have empathy for compression issue that is exacerbated by taking advantage of flexibility at entry to attract faculty and get off to great start

• Suggested tying salary action to post-tenure review to help deal with compression at same time adding substance to post-tenure review

• Some of this paving new ground, but Faculty Personnel Committee appropriate route to lay groundwork

Without objection, vote on motion postponed until next meeting.

IX. Announcements – Next meeting will be on March 30, 2004 in Tamarack Room

Meeting adjourned at 4:14 p.m.

Wanda Schulner
Secretary to the University Senate