DATE: July 23, 2015

TO: Regent Vice President John Behling, Chair, Tenure Policy Task Force

FROM: Regent President Regina Millner

RE: Tenure Policy Task Force Charge

As you know, since the time of merger in the 1970’s, both the Wisconsin Statutes and the Wisconsin Administrative Code have provided for faculty tenure rights within the University of Wisconsin System.

Recent legislative changes to the Wisconsin Statutes removed the statutory provision governing faculty tenure and probationary appointments and modified the conditions under which tenured and tenure-track faculty members’ appointments may be terminated due to certain budget or programmatic changes. Further, a new section codifies in Wisconsin Statutes faculty due process and reappointment rights in the event of layoff due to certain budget or programmatic changes. The new statutory language is provided in Attachment A.

At its June 2015 meeting, the Board of Regents reaffirmed its commitment to the importance of tenure within the University of Wisconsin System by unanimously adopting a tenure policy replicating the language contained in the now-repealed section on faculty tenure and probationary appointments. The resolution provided that the policy would be effective once the original statutory language was repealed. See, Attachment B. The repeal of the tenure statute was effective July 14, 2015, so the Regent tenure policy now is in effect and will remain in effect until a new policy is adopted. See, Attachment C.

In light of the above, I ask that the recently-appointed University of Wisconsin System Tenure Policy Task Force undertake the following:

1. Review the current Board policy (replicates former statutory language) and recommend revisions, if needed;

2. Review Regent Policy Document (RPD) 20-9, “Guidelines for Tenured Faculty Review and Development” (see, Attachment D) and existing UW System institutional “post-tenure” review processes, and make recommendations to revise them, as necessary and appropriate, to:
   a. Craft an overarching tenured faculty review process for adaptation by individual institutions within the UW System;
   b. Create a common process for rewarding high-performing tenured faculty (though not a common reward); and
c. Create a common process for effectively addressing tenured faculty performance which does not meet expectations for teaching, research and public service.

3. Review the new statutory language regarding faculty layoff due to budget and/or program decisions and recommend Regent policy language relating to:
   
a. The criteria to be used by a UW institution to determine budget or program decisions that require program changes resulting in faculty layoffs; and

b. The procedures to be used by a UW institution to develop a recommendation to the Board of Regents regarding program changes resulting in faculty layoffs.

4. Provide recommendations regarding any additional Regent policy changes or additions that may be necessary in light of recent legislative changes relating to tenure.

I encourage the Task Force to consider the tenure policies, processes, and procedures adopted by similar or comparable higher education institutions or systems (see, e.g., Attachment E), as well as the American Association of University Professors’ (AAUP) “Recommended Institutional Regulations on Academic Freedom and Tenure.” See, Attachment F.

I also expect that faculty academic freedom will be clearly and expressly protected.

The Board’s June 2015 tenure resolution requires the Task Force to complete its work on or before April 11, 2016. Thank you again for your willingness to lead this important effort.

Attachments

cc: Members of the Tenure Policy Task Force
     Members of the Board of Regents
     UW System President Ray Cross
     President’s Cabinet
     Chancellors
     Provosts
     Faculty Representatives
     Academic Staff Representatives
     University Staff Representatives
     Student Representatives