

Resolution on Protecting Tenure

Whereas on September 3, 2015, Chancellor Mone affirmed his support for AAUP principles of tenure (<https://www.aaup.org/report/recommended-institutional-regulations-academic-freedom-and-tenure>), stating that “I need to fight as strongly as possible to protect tenure, shared governance and support indefinite status and other policies that are crucial to the value of our employees” and “Our campus must strive to comport with AAUP principles and policies” (<https://youtube.com/clip/Ugkx0mqPJHE3PgLeGaNSXaWsh29RMFFQlcV5?si=gWjMzJ6Gt4p3LJNP>);

Whereas on November 19, 2015, the UW-Milwaukee Faculty Senate previously resolved (Faculty Document 3041; https://apps.uwm.edu/secu-policies/storage/faculty/3041_AFT_Resolution.pdf) to “uphold and defend” AAUP principles of tenure, appealed to Chancellors and the Regents to refrain from exercising the legal authority that Act 55 granted them in ways that are inconsistent with AAUP standards, and endorsed the AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status (<https://kb.wisconsin.edu/images/group222/shared/2015-10-05FacultySenate/2573AFTStatement.pdf>);

Whereas the AFT Statement on Tenure and Indefinite Status called upon Chancellors and the Regents to affirm and practice the following principles of tenure:

1. Tenured and probationary faculty should be terminated only for just cause, with a rigorous procedure of faculty review to uphold that standard;
2. Tenured and probationary faculty should not be laid off due to budgetary changes unless a financial emergency exists, as declared after detailed consultation with appropriate faculty governance bodies. A financial emergency is a severe financial crisis that fundamentally compromises the academic integrity of the institution as a whole and that cannot be alleviated by less drastic means;
3. The faculty as a whole, or an appropriate committee thereof, should primarily determine all program changes for their campus, including any changes that might lead to layoffs. Program decisions should be based essentially upon educational considerations. Educational considerations do not include cyclical or temporary variations in enrollment, but rather must reflect long-range judgments that the educational mission of the institution as a whole will be enhanced by the change;
4. The principles and practices of tenure, and the academic freedom which they enact, should be upheld equally throughout the System, without differentiation between campuses;

Whereas Regent Policy 20-24 Policy Statement states “Tenure is the keystone for academic freedom and excellence and is awarded for academic and professional merit,” “is necessary for university-based intellectual life to flourish,” and “the awarding and continued enjoyment of faculty tenure is of vital importance to the protection of academic freedom and to the overall academic quality of the University of Wisconsin System institutions” (<https://www.wisconsin.edu/regents/policies/procedures-relating-to-financial-emergency-or-program-discontinuance-requiring-faculty-layoff-and-termination/>);

Whereas Regent Policy 20-24 Policy Statement also states “faculty layoff will be invoked only in extraordinary circumstances and after all feasible alternatives have been considered”;

Whereas Regent Policy 20-24 (II.A) states “The maintenance of tenure-track and tenured faculty, and of essential instructional and supporting services, remains the highest priority of the university”;

Whereas Wis. Stat. s. 36.22(12) Alternative Employment requires that “Each institution shall devote its best efforts to securing alternative appointments within the institution in positions for which faculty laid off under this section are qualified under existing criteria” (<https://docs.legis.wisconsin.gov/statutes/statutes/36/22>);

Whereas Wis. Stat. s. 36.22(13) Reappointment Rights requires that each institution “ensure that where layoffs or terminations occur due to a budget or program decision requiring a program change, 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 seniority and other rights”;

Whereas Wis. Stat. s. 36.22(14) Retention of Rank and Salary requires that “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 that may have accrued at that time. Any faculty member relocated within an institution or within the system shall not have either rank or salary adversely affected except by consent at the time of relocation”;

Whereas on May 10, 2016, at UW-Milwaukee’s most recent full faculty meeting with quorum, the UW-Milwaukee faculty unanimously endorsed a resolution (Faculty Document 3050; https://apps.uwm.edu/secure/policies/storage/faculty/3050_UWM_NoConfidence.pdf) in support of a “commitment to defending the Wisconsin Idea, extending the benefits of the University to every citizen of the state” and called on the UW System President and the Board of Regents “to recommit themselves to the Wisconsin Idea by carrying out their responsibilities and working with us to strengthen the quality of our state universities, in particular by working with the state legislature to make a positive case for improved access, affordability, and educational resources for our students; for additional support for scholarship and its associated economic benefits; for greater resources for outreach and services to citizens of the State; and by truly respecting, advancing, and participating in shared governance in the UW System”;

It is hereby RESOLVED that the UW-Milwaukee Faculty call on Chancellor Mone to affirm and practice AAUP principles of tenure; to “fight as strongly as possible to protect tenure”; to propose faculty layoffs for reasons of program discontinuance only in extraordinary circumstances and after all feasible alternatives have been considered; and in case of faculty layoffs for reasons of program discontinuance to devote his best, good-faith efforts to secure alternative appointments within the institution and to respect reappointment rights of faculty members laid off.