Secretary of the University

9 July 2014

To: Interim Chancellor Mark Mone
Provost and Vice Chancellor Johannes Britz

From: Trudy R. Turner, Secretary of the University

Re: Academic Staff Document 86, Revision to Academic Staff Personnel Policies and Procedures, Chapter 107, Promotion to Indefinite Appointment

The attached document has been approved by unanimous vote of the Academic Staff Senate on 8 July 2014. UWM Administration has until 8 August 2014 to approve, not approve, or notify the Academic Staff Committee of your intention and reason to defer action.

To: Secretary of the University

From: Provost Johannes Britz

Document Received Reviewed Date
86

From: Chancellor Mone

Document Approved Not approved Deferred Received Date
86

Signature

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Regents (as needed)  
System (as needed) 
Return to Secretary of the University

C Secretary of the University
Legal Affairs
Dev Venugopal
Revision to Chapter 107 Promotion to Indefinite Appointment

Rationale for Revision: In 2008 the Academic Staff and Codification Committees incorporated language into the policies regarding probationary period extensions and revised Chapter 104.03 (Academic Staff Appointments) to include specific language on that process. Chapter 107 has been revised below to reflect and assure consistency of policy references, describe clear timelines/deadlines for specific actions, and clarify the promotion process.

Chapter 107
Promotion to Indefinite Appointment

107.01 Promotion to Indefinite Appointment
A decision on indefinite appointment will normally be made no later than the end of the sixth year of probationary service. A probationary appointment cannot exceed seven years of service except in those circumstances described in Chapter 104.03. In the event that an Academic Staff member requires an extension of the probationary period, the policy specified in Chapter 104.03 shall be followed.

A. Notice of Consideration and Review Conference

1) The supervisor shall notify a probationary Academic Staff member in writing at least 20 working days prior to a review conference at which promotion to indefinite appointment will be considered.

2) Prior to the review conference, the Academic Staff member shall submit his/her review file materials to his/her supervisor.

3) An Academic Staff member with an executive committee as the supervisor may make a presentation at the meeting at which his/her promotion to indefinite status is being considered. The meeting at which the presentation is made shall be closed unless an open meeting is requested by the Academic Staff member.

B. Notice regarding seventh year of probationary service. If indefinite status has not been granted by the start of the seventh year, terminal notice must be provided to the academic staff member per Chapter 108. In exceptional circumstances, reviews may take place in the seventh year, however the notice period must be honored. If proper notice is not provided, the contract must be extended so that at least the required notice period is provided.
107.02 Supervisor/Executive Committee Recommendation for Indefinite Appointment

A. Positive Recommendation. The supervisor’s recommendation shall be forwarded to the Dean/Division Head with copy to the Academic Staff member within ten working days of the review conference, as specified in Chapter 107.01.

B. Negative Recommendation. If the recommendation forwarded will result in non-renewal, the Dean/Division Head must follow the procedures outlined in Chapter 106.03.

107.03 Dean/Division Head’s Action on Recommendation for Indefinite Appointment

A. The Dean/Division Head shall seek the advice of the appropriate Academic Staff Review Committee within five working days of the receipt of a positive recommendation from the supervisor/Executive Committee.

B. The Review Committee shall review the supervisor/Executive Committee’s recommendation based on its established criteria and provide a written recommendation to the Dean/Division Head and the Academic Staff member within 30 working days of the receipt of the file. This recommendation shall be included in the materials sent to the Chancellor by the Dean/Division Head.

107.04 Positive Recommendation from the Review Committee.

A. If the Dean/Division Head accepts the positive recommendation of the Review Committee, s/he shall forward a positive recommendation to the Chancellor, the Academic Staff member, and the Review Committee within ten working days of receipt of the Committee’s recommendation.

B. If the Dean/Division Head decides not to forward the positive recommendation of the Review Committee, s/he shall notify the Academic Staff member and the chairperson of the Review Committee within ten working days of receipt of the Committee’s recommendation.

1) The Academic Staff member may, in writing, request written reasons for the decision within five working days of receipt of such notification. The Dean/Division Head shall respond within five working days of receipt of the request.

2) If the Dean/Division Head’s decision results in non-renewal, he/she shall inform the Academic Staff member in writing of the effective date of the non-renewal and of the Academic Staff member’s rights to written reasons under Chapter 106.03 and/or appeal under procedures outlined in UWS 10.04 and Chapter 106.04.

107.05 Negative Recommendation from the Review Committee and Reconsideration

A. If the Review Committee gives a negative recommendation, the Review Committee, before forwarding its recommendation to the Dean/Division Head, must:

1) Notify the supervisor and the Academic Staff member of its intention to provide a negative recommendation.

2) Notify the supervisor of his/her right to request reconsideration within ten working days of the receipt of the notice.

   a. If the supervisor requests reconsideration, the Review Committee must meet within ten working days of the receipt of the request.
b. If no request for reconsideration is received within ten working days, the Review Committee shall forward its recommendation immediately to the Dean/Division Head.

c. The time limits of this section may be extended by mutual consent of the supervisor/Executive Committee and the Review Committee.

107.06 Subsequent Considerations for Indefinite Appointment

A. If the action of the Dean/Division Head does not result in promotion to indefinite appointment or non-renewal, the Academic Staff member may be reviewed at a later date under the following conditions:

1) If prior consideration occurred before the Academic Staff member’s sixth year of probationary service, all steps in the review process must be repeated.

2) If the prior consideration occurred during the Academic Staff member’s sixth year of probationary service, only the part of the review process that was not completed must be performed.

a. If the action of the Dean/Division Head results in non-renewal, the Academic Staff member may request to be reviewed again for indefinite appointment prior to the end of his/her probationary period. The request shall be made to the Dean/Division Head. If the request is granted, all steps in the review process must be repeated.

107.07 Chancellor’s Action on Recommendation for Indefinite Appointment

Upon receipt of the recommendation from the Dean/Division Head, the Chancellor shall inform the Academic Staff member and the Review Committee of his/her decision regarding promotion to indefinite status.

A. Positive Action by the Chancellor.

The Chancellor shall notify the Academic Staff member of a positive decision on promotion to indefinite status within 10 working days of the receipt of the recommendation from the Dean/Division Head.

B. Negative Action by the Chancellor.

1) If the Chancellor’s decision results in non-renewal, the Academic Staff member shall be notified in writing within 10 days. The notice shall include reference to Academic Staff rights to written reasons under UWS 10.04 and Chapter 106.03 and 106.04.

2) The Academic Staff member may request reasons for the non-renewal within five working days of notification.

3) The Chancellor shall respond to the request following the procedures outlined in Chapter 106.03.

4) The decision of the Chancellor regarding promotion to indefinite status is final however, and not subject to further appeal.
Chapter 107
Promotion to Indefinite Appointment

107.01 Promotion to Indefinite Appointment

To be eligible for promotion to an academic staff member on a will normally be made no later than the end of the sixth year of probationary service. A probationary appointment shall meet the provisions outlined cannot exceed seven years of service except in those circumstances described in Chapter 104.03. Within 20 working days of the beginning of the fifth year in a probationary appointment, the event that an Academic Staff member requires an extension of the probationary period, the policy specified in Chapter 104.03 shall be notified by the Unit’s Personnel Representative or immediate supervisor regarding the timeline for submitting written materials to the Academic Staff.

A Notice of Consideration and Review Committee

Committee for consideration to Indefinite Appointment—Conference

1) The academic staff member must submit materials for review to his/her supervisor and/or executive committee prior to the date marking the start of the third quarter of the staff member’s sixth year or, if appropriate, start of the 12th semester. The supervisor shall notify a probationary Academic Staff member in writing at least 20 working days prior to a review conference at which promotion to indefinite appointment will be considered. The academic staff member and supervisor shall

2) Prior to the conference all written materials required by conference, the Academic Staff Review Committee. The academic staff member shall submit his/her review file materials to his/her supervisor.

3) An Academic Staff member with an executive committee as the supervisor may also make a presentation at the meeting at which his/her promotion to indefinite appointment. Category B academic staff may also make a personal presentation. Status is being considered. The meeting at which the presentation is made shall be closed unless an open meeting is requested by the academic staff member.

In the event that an academic staff member requires an extension of their probationary review and it is not otherwise covered in UWS 10.03.2 (1-4) (b), the following procedures shall be followed:

1) The academic staff member must submit a request for extension to his/her immediate supervisor at least 40 working days prior to the date marking the start of the third quarter of the staff member’s sixth year or, if appropriate, start of the 12th semester.

2) If the supervisor supports the request, he/she shall forward it to the appropriate dean or division head within 10 working days who shall, if in agreement, forward the request to the Academic Staff Review Committee for consideration.
within 10 working days for extension to the Academic Staff Committee for review and action. 

(2) The Academic Staff Committee shall review the request for extension and notify the dean or division head, supervisor, and academic staff member of action taken. If the extension is granted, the Academic Staff Committee shall notify the appropriate review committee of the extension.

(4) Review extensions can only be granted for a 6-month period or, if appropriate, one semester and are not renewable. The academic staff member granted a review extension, but not reviewed prior to the end of the sixth year should expect a terminal year letter (in accordance with UWM Chapter 106).

(5) Files that are received by the Category A or Category B Review Committee after the start of the third quarter of the sixth year (or, if appropriate, 12th semester), or after an extension period deadline will not be considered.

(6) Any academic staff member has the right to appeal a supervisor’s or dean/division head’s decision not to support a request for extension. The academic staff member must appeal within 15 working days of receiving notification to the Academic Staff Hearing and Appeals Committee under the procedures listed in Section 112.04 (b)(4).

B. Notice regarding seventh year of probationary service. If indefinite status has not been granted by the start of the seventh year, terminal notice must be provided to the academic staff member per Chapter 108. In exceptional circumstances, reviews may take place in the seventh year, however the notice period must be honored. If proper notice is not provided, the contract must be extended so that at least the required notice period is provided.

107.02 Supervisor/Executive Committee Recommendation for Indefinite Appointment

A. Positive Recommendation. The review file and supervisor’s recommendation of the supervisor and/or executive committee to promote the academic staff member to indefinite appointment shall be forwarded to the dean or division head Dean/Division Head with copy to the academic staff Academic Staff member within ten working days of the review conference, as specified in UWMChapter 107.01.

B. Negative Recommendation. If the recommendation forwarded would result in non-renewal, the dean or division head Dean/Division Head must follow the procedures outlined in UWMChapter 106.03.

107.03 Dean or/Division Head’s Action on Recommendation for Indefinite Appointment

A. The dean or division head Dean/Division Head shall forward the review file to the appropriate Academic Staff Review Committee within five working days of the receipt of a positive recommendation from the supervisor and/or executive committee. The Committee shall review the recommendation based on its established criteria. The Academic Staff Review Committee recommendation shall be reported in writing to the dean or division head and the academic staff member within 30 working days of the receipt of the file. The dean or division head shall forward a positive recommendation to the Chancellor, the academic staff member, and the Review Committee within 10 working days of receipt of the Committee’s recommendation /Executive Committee.
B. The Review Committee shall review the supervisor/Executive Committee’s recommendation based on its established criteria and provide a written recommendation to the Dean/Division Head and the Academic Staff member within 30 working days of the receipt of the file. This recommendation shall be included in the materials sent to the Chancellor by the Dean/Division Head.

107.04 Positive Recommendation from the Review Committee.

A. If the dean or division head decides not to forward Dean/Division Head accepts the positive recommendation of the Review Committee, s/he shall forward a positive recommendation to the Chancellor, the Academic Staff member, and the Review Committee within ten working days of receipt of the Committee’s recommendation.

B. If the Dean/Division Head decides not to forward the positive recommendation of the Review Committee, s/he shall notify the Academic Staff member and the chairperson of the Review Committee within ten working days of receipt of the Committee’s recommendation. The Academic Staff member may, in writing, request written reasons within five working days of receipt of such notification; the dean or division head shall respond within five working days of receipt of the request. If the dean or division head’s decision results in non-renewal, he/she shall inform the Academic Staff member in writing of the effective date of the non-renewal and of the Academic Staff member’s rights to written reasons under UWM 106.03 and/or appeal under procedures outlined in UWS 10.04 and UWM 106.04.

1) The Academic Staff member may, in writing, request written reasons for the decision within five working days of receipt of such notification. The Dean/Division Head shall respond within five working days of receipt of the request.

2) If the Dean/Division Head’s decision results in non-renewal, he/she shall inform the Academic Staff member in writing of the effective date of the non-renewal and of the Academic Staff member’s rights to written reasons under Chapter 106.03 and/or appeal under procedures outlined in UWS 10.04 and Chapter 106.04.

107.04 Reconsideration of Negative Recommendation from the Review Committee: and Reconsideration

A. If the Review Committee gives a negative recommendation where the result may be non-retention, the Review Committee, before forwarding its recommendation to the dean or division head, must notify:

1) Notify the supervisor and the Academic Staff member of its intention and of the right of the supervisor to provide a negative recommendation.

2) Notify the supervisor to ask for his/her right to request reconsideration within ten working days of the receipt of the notice.

a. If the supervisor requests reconsideration, the Review Committee must meet within ten working days of the receipt of the request.
**107.0506 Subsequent Considerations for Indefinite Appointment**

**A.** If the action of the dean or division head (Dean/Division Head) does not result in promotion to indefinite appointment or non-renewal, the academic staff (Academic Staff) member may be reviewed at a later date—under the following conditions:

1) If prior consideration occurred before the academic staff member’s Academic Staff member’s sixth year of probationary service, all steps in the review process must be repeated.

2) If the prior consideration occurred during the academic staff member’s Academic Staff member’s sixth year of probationary service, only that part of the review process which was not completed must be performed.

**a.** If the action of the dean or division head (Dean/Division Head) results in non-renewal, the academic staff (Academic Staff) member may request to be reviewed again for indefinite appointment prior to the end of his/her probationary period. The request shall be made to the dean or division head (Dean/Division Head). If the request is granted, all steps in the review process must be repeated.

**107.0607 Chancellor’s Action on Recommendation for Indefinite Appointment**

Upon receipt of the recommendation from the dean or division head (Dean/Division Head), the Chancellor shall inform the academic staff (Academic Staff) member and the Review Committee of his/her decision regarding the academic staff member’s promotion to indefinite status.

**A. Positive Action by the Chancellor.**

The Chancellor shall notify the Academic Staff member of a positive decision on promotion to indefinite status within 10 working days of the receipt of the recommendation from the Dean/Division Head.

**B. Negative Action by the Chancellor.**

1) If the Chancellor’s decision results in non-renewal, the academic staff (Academic Staff) member shall be notified in writing within 10 working days and that the notice shall include reference to academic staff (Academic Staff) rights to written reasons under UWS 10.04 and UWM Chapter 106.03 and 106.04.

2) The academic staff (Academic Staff) member may request reasons for the non-renewal within five working days of the notification of non-renewal.

3) The Chancellor shall respond to the request following the procedures outlined in section Chapter 106.03 of these Policies and Procedures.
4) The decision of the Chancellor regarding promotion to indefinite status is final however, and not subject to further appeal.