The University Committee moves that the existing UWM Policies and Procedures 5.135 be deleted and the new s. 5.135 be approved.

Existing s. 5.135 to be deleted:

5.135 Extension of the Probationary Period

Upon request of the faculty member, the maximum probationary period may be extended by the Vice Chancellor on the recommendation of the departmental executive committee, the dean, and the University Committee.

New s. 5.135 to be approved:

Chapter 5.135 Extension of the Probationary Period.

Certain circumstances may impede a faculty member's progress toward achieving tenure, including responsibilities with respect to childbirth/adoptive, significant responsibilities with respect to elder/dependent care obligations, disability/chronic illness, or circumstances beyond the control of the faculty member. Written requests for extensions of the probationary period should be made in a timely manner, proximate to the events or circumstances which occasion the request. A request for extension of the probationary period justified by appropriate and credible evidence carries with it the presumption of approval. More than one request may be granted but the total time granted for extensions may not ordinarily exceed one year. Multiple extension requests granted for childbirth/adoptive may exceed one year. Pursuant to UWS 3.04, Wis. Adm. Code, the procedures for requesting an extension are:

1. The faculty member provides a written request to the department executive committee, which forwards the request with its recommendation to the dean and Vice Chancellor. In cases of childbirth and adoption, the faculty member provides a written request directly to the Vice Chancellor.

2. Requests for probationary period extension may be approved by the Vice Chancellor, after review by the executive committee and the dean and upon consultation with the University Committee. Requests in cases of childbirth/adoptive that are provided directly to the Vice Chancellor shall be approved after consultation with the University Committee.

3. All requests for probationary period extensions shall be made prior to commencing with a tenure or contract renewal review. With respect to contract renewals, it is presumed that executive committees will extend the contractual period for a minimum of the recommended and approved probationary period extension.
(4) If a probationary period extension is approved, a reduction in scholarly productivity during the period of time addressed in the request should not prejudice a subsequent renewal decision. Any faculty member in probationary status more than seven (7) years because of extensions shall be evaluated as if the faculty member had been on probationary status for seven (7) years.

(5) A denial of a request shall be provided in writing to the faculty member, the department executive committee, and the dean, and shall be based upon clear and convincing reasons.

(6) A faculty member who believes that a request has been denied unfairly may file an appeal with the University Committee for referral to the Faculty Appeals and Grievances Committee [FPP A2.3(3)].

Rationale

The UWS Board of Regents approved a revision to the Wisconsin Administrative Code, UWS 3.04 at their February 1994 meeting. UWM has been operating under an interim policy since Wis Stats 36.12 (2) (d) was modified in the Fall of 1992 (FPP 5.135) To that end, these amendments are brought forward to bring us into compliance with the recently approved change to UWS 3.04. The University Committee recommends approval of these amendments. The Codification Committee was asked to review this proposed wording and provided the University Committee with its recommendations for re-wording. Their re-wording was taken under advisement by the University Committee.

The UWM University Committee

George Baker, Chair
Anthony Ciccone
Rene Gratz
David Luce
Ethel Sloane
William Walters

Satisfies the Codification Committee's criteria of clarity, internal consistency, and relationship to other policies and procedures governing UWM except for part (2) which the Codification Committee believes does not satisfy the criterion of internal consistency with other personnel policies. (See attached Codification Committee Minutes, #5 iii, pp. 1-2)
CODIFICATION COMMITTEE

MINUTES

Friday, September 23, 1994; 8:30 a.m.; Mitchell 206

PRESENT: Professors Martha Bagley, Suzanne Falco, Robert Krueger, Robert McPhee, Betty Ritchie, Donald Solomon, and, ex officio, Marilyn E. Miller

The meeting was called to order at 8:40 a.m. by Convener Betty Ritchie.

1. The minutes of the meeting held on May 10, 1994 were approved as distributed.

2. Professor Donald Solomon was elected Chair for 1994-95.

3. Possible meeting times during Semester 1, 1994-95 were discussed. It was finally agreed to try for 8:30 a.m. meetings on the first or fourth Friday of each month, contingent upon Professor Ritchie’s schedule.

4. The Committee reviewed the University Committee’s proposed motion to amend UWM Faculty Policies and Procedures (FPP), s. 5.43, Discipline Defined, and recommends the following change:

   (1) An oral verbal reprimand.

   The Committee did not find the proposed amendment to be inconsistent with FPP, but did wonder if the University Committee had considered whether some clarification were needed as to "who" can administer discipline.

5. The Committee reviewed the University Committee’s proposed motion to amend UWM FPP, s. 5.135, Extension of the Probationary Period, and recommends the following changes:

   i) In the opening paragraph, second sentence: Written requests for extensions of the probationary period should be made...

   ii) In (1), second sentence: In cases of childbirth and adoption, the faculty member provides a written request directly to the Vice Chancellor.

   iii) Replace (2) with: The Vice Chancellor makes the decisions on requests for extensions of the probationary period [after consultation with the University Committee].
NOTE: The Codification Committee would recommend that the bracketed phrase be deleted because it believes that University Committee involvement in individual personnel decisions is not consistent with existing faculty personnel policy; however, the Codification Committee is aware that the University Committee disagrees and that this issue must ultimately be resolved by the Faculty Senate.

iv) In (5): A denial of a request shall be provided in writing to the faculty member, the departmental executive committee, and the dean, and shall be ...

v) In (6): A faculty member who believes that a request has been denied unfairly may file an appeal with the University Committee for referral to with the Faculty Appeals and Grievances Committee [FPP 5.44(4) A2.3(3)].

vi) In the Rationale, line 6: insert the word "Committee" following "The Codification"

c: University Committee