Motion: To change UWM [Faculty] Policies and Procedures [FPP], Chapter 5.135. Suggested changes are in **bold italics**. Chapters 5.13 - 5.131 are included for informational purposes.

### 5.13 Calculating the Probationary Period for Assistant Professors & Instructors

1. Previous full-time service in other accredited colleges or universities in a rank equivalent to assistant professor or above at the University or previous full-time teaching service as a member of the academic staff at this University, is taken into account in computing a person's probationary service at the University, so that the probationary period shall not exceed seven (7) years in all; provided that if a person receives a probationary appointment after service of more than three (3) years in one or more institutions, a person's probationary status in the University may extend for as long as four (4) years, even though the total probationary period is thereby extended beyond the normal maximum of seven (7) years. In the case of less than full-time appointments, the provisions of 5.13(3) apply. Prior probationary service must be established in writing at the time a faculty appointment is offered.

   (Document 1090, 4/20/78, 5/11/78, 11/16/78; UWM Administration approval, 11/22/78; Regent approval, 6/6/80)

2. In cases of transfers from other institutions or from the teaching academic staff at this University, with the consent of the person concerned, the department and the dean, it may be agreed in writing at the time the appointment is made, that one whose previous full-time service was performed in those institutions before receiving the doctoral degree (or the degree typically considered terminal in a given discipline), and while a candidate for this degree, may be granted a maximum seven-year probationary period in the University.

3. The probationary period for assistant professors and instructors on at least one-half time but not more than three-fourths time appointment is counted as one-half year probationary service; service of greater than three-fourths time is counted as a full year. In no case shall the probationary period exceed fourteen (14) calendar years.

   (Document 1189, 2/21/80; UWM Administration approval, 2/27/80; Regent approval, 6/6/80)

4. The period of leave of absence is excluded in calculating the probationary period.

   (Document 1484, 12/12/95; UWM Administration approval, 12/26/85; Regent approval, 2/7/86)

### 5.131 Calculating the Probationary Period for Associate Professors and Professors on Probationary Appointments

1. The probationary period for associate professors and professors with probationary appointments of at least one-half time but not more than three-fourths time is counted as
one-half year of probationary service; service of greater than three-fourths time is counted as a full year.

(2) The period of leave of absence is excluded in calculating the probationary period.

(3) Previous experience, scholarly accomplishments, scholarly publications and the like may be taken into account in calculating the probationary period of associate professors and professors on probationary appointments. Credit for previous experience will be agreed upon in writing at the time the appointment is made. In no case will the probationary period for associate professors and professors on probationary appointments exceed three (3) years.

(Document 1189, 2/21/80; UWM Administration approval, 2/27/80; Regent approval, 6/6/80)

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/adoption and 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 and include appropriate documentation. A request for extension of the probationary period with respect to childbirth and adoption responsibilities 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. 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, as well as requests that are ADA-related, 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/adoption and those that are ADA-related that are provided directly to the Vice Chancellor shall be approved only after consultation with the University Committee. Except to obtain necessary consultative assistance on medical or legal issues, only the Vice Chancellor and the ADA Coordinator will have access to documentation pertaining to an ADA-related request.

(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. With respect to ADA-related requests, executive committees will extend the contractual period for a period of time that coincides with the approved probationary period extension.
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.

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. **If the request is ADA-related and denied by the Vice Chancellor, only the requesting faculty member will receive written notification of the denial.**

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)].

(Document 1949, 10/20/94; UWM Administration Approval, 11/14/94; Regent approval, 3/10/95)

**Rationale:**

The proposed revisions to UWM [faculty] Policies and Procedures, Chapter 5, Section 5.135, recognize circumstances where ADA related disabilities may interfere with a faculty member's progress toward the attainment of tenure. While the previous language in Section 5.135 recognized that a "disability" could impede a faculty member's progress toward tenure, the proposed changes specify the procedures for initiating and approving an extension of the probationary period that are ADA related. These revisions acknowledge the University's commitment to accommodating ADA related disabilities, and are consistent with Section 102 of the American's With Disability Act which states that "no entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, training, and other terms, conditions, and privileges of employment."

**Members, University Committee**

Professor Randall Ryder, Chair  
Professor Laurie Glass  
Professor John (Jay) Moore  
Professor Genevieve McBride  
Professor James Sappenfield  
Professor Gabrielle Verdier  
Professor Yehuda Yannay

Satisfies the Codification Committee's criteria for clarity, internal consistency, and relationship to other policies and procedures governing UWM.