Whereas the passage of Act 55 by the Wisconsin state legislature struck the protection of tenure from state statute and required the UW Board of Regents to develop a new tenure policy (http://docs.legis.wisconsin.gov/raw/path/Publisher/WSL/FrontPage/Special/100%20-%20Act%2055%20-%20Executive%20Budget%20with%20Partial%20Veto);

Whereas on September 3, 2015, Chancellor Mone affirmed his support for AAUP standards of tenure in the development of said policy, stating that “Our campus must strive to comport with AAUP principles and policies” (http://www.vidqt.com/id/IMzhElXRBKQ?lang=en);

Whereas a September 17, 2015 joint statement by the AAUP chapters at UW-Milwaukee, UW-Whitewater, and UW-Madison supplied the Board of Regents and the UW System Tenure Policy Task Force with principles and recommendations that, if followed, will ensure the development of a policy that will comport with AAUP principles;

Whereas on October 20, 2015 UW System President Ray Cross stated that the Board of Regents and the UW System Tenure Task Force will not “be in a position to evaluate campus-specific layoff and post-tenure review policies until after the Task Force has completed its work and the Board has established its policies in these two areas” (https://mail.google.com/mail/u/0/#search/tenure+cross+memo/1508c675ac7b6d87?projector=1);

Whereas President Cross’ October 20, 2015 statement represents a troubling reversal of his earlier request that faculty governing bodies generate layoff and post-tenure review policy recommendations, a request that the University Committee of UW-Milwaukee responded to in good faith with months of careful work and the generation of a “Position Paper on Academic Freedom and Tenure”;

Whereas the AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status acknowledges the changes in the law from Act 55 while calling upon the Regents and the Chancellors to defend tenure to the full extent of former state law and national AAUP standards;

Whereas The Association of University of Wisconsin Professionals (AFT Local 3535) and the Executive Board of the Milwaukee chapter of the AAUP have endorsed the AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status;

Whereas shared governance bodies on other UW campuses have already begun to endorse the AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status;

Resolved, that the Faculty Senate of the University of Wisconsin-Milwaukee endorses the AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status with the following provisos:

1. Our endorsement is not a call to violate Act 55 but rather an appeal to the Chancellors and the Regents to refrain from exercising the new legal authority that Act 55 grants them in ways that are inconsistent with AAUP standards.

2. Our endorsement does not mean that we abdicate our responsibility to design tenure policies that are specific to the UW-Milwaukee campus. On the contrary, we believe that the best way we can uphold tenure equally throughout the UW System is to design a strong set of rules and policies for the UW-Milwaukee campus that may then serve as a model for other campuses.
3. We, the Faculty Senate, reserve the right to determine what, if any, collective action may be appropriate for us to take in the future in order to uphold and defend the principles of tenure. We do not delegate this right to the American Federation of Teachers or any other body.
AFT-Wisconsin Higher Education Council
Statement on Tenure and Indefinite Status

When the Wisconsin state legislature and Governor Walker passed and signed into law Act 55, the law gave all effective governance authority to the University Wisconsin Board of Regents and individual campus Chancellors, at the expense of any truly shared governance for faculty, academic staff, and students. We recognize this even as we stand opposed to such changes.

But while state law has radically curtailed shared governance, it has not removed the ability, and the responsibility, of Regents and Chancellors alike to uphold standards of tenure and academic freedom in practice, as well as policy, while acknowledging the new powers granted them under state law. Such standards guarantee the ability of faculty and academic staff to engage in excellent, cutting-edge research and to provide instruction to students, citizens, and entrepreneurs in every corner of the state and beyond. With this in mind, we call upon our individual Chancellors and the Regents to affirm and practice the following principles in regard to probationary and tenured faculty, in maximal accordance with both the state standards established by law and administrative rules immediately previous to Act 55, and the national standards summarized in the American Association of University Professors document Recommended Institutional Regulations on Academic Freedom and 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.

Governor Walker has also called for further study regarding whether or not to prohibit probationary and indefinite status appointments for academic staff. Any such changes would increase the employment insecurity of academic staff, and thus further undermine academic freedom and excellence at the University of Wisconsin. Therefore, we also call upon our individual Chancellors and the Regents to:

5. Publicly and privately oppose any and all attempts to abolish or attenuate indefinite status appointments for academic staff.

Finally and most importantly; should any of these principles be violated in practice, we hereby pledge to engage in all appropriate collective action to uphold and defend them, at our individual campuses and in the System as a whole.

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