Recommendation of the University Committee (UC) to Amend UWM P&P Ch. 5.136
Notification of Decision of Tenure by Executive Committee

RATIONALE: Current UWM P&P regarding the possibility of tenure consideration in a probationary faculty member’s terminal year has two points that can be considered confusing or redundant. As currently written, 5.136(1) could be interpreted to mean that if a faculty member asks for early consideration of tenure, a negative decision could result in the following year being a terminal year for the appointment. It is proposed to revise 5.136(1) to indicate that a terminal year of an appointment needs to be in the final year of a contract.

Sections 5.136(2) and 5.136(4) have overlapping language, and as written are not clearly referring to different scenarios. It is proposed to revise Section 5.136(2) to remove the overlap.

EXISTING:

5.136 Notification of Decision of Tenure by Executive Committee

(1) A decision of tenure, favorable or unfavorable, must be made at least 12 months prior to the completion of the maximum probationary period (or equivalent), unless the right is waived, in writing, by the candidate. The Executive Committee must initiate the review process soon enough to allow for the required notification listed in 5.19 (3) to take place following a negative decision. If the decision is negative, the appointment for the following year becomes a terminal one.

(2) After a negative decision or the waiving of the right for a decision, the executive committee may agree, but is not required, to conduct a tenure review and render a decision during the terminal year. A decision to conduct a tenure review in the terminal year will be communicated to the candidate in writing.

(3) A faculty member who waives his/her right for tenure review or who submits their resignation, may serve out the terminal year without a tenure decision being rendered.

(4) A faculty member who waives his/her right for a tenure review prior to the terminal year, may request, in writing, to be reviewed during their terminal year. The executive committee, at its discretion, may or may not agree to conduct a tenure review during the terminal year. Its decision will be communicated to the candidate in writing.

PROPOSED:

5.136 Notification of Decision of Tenure by Executive Committee

(1) A decision of tenure, favorable or unfavorable, must be made at least 12 months prior to the completion of the maximum probationary period (or equivalent), unless the right is waived, in writing, by the candidate. The Executive Committee must initiate the review process soon enough to allow for the required notification listed in 5.19 (3) to take place
following a negative decision. If the decision is negative, and if the following year is the final year of the maximum probationary period, the appointment for the following year becomes a terminal one.

(2) After a negative decision or the waiving of the right for a decision, the faculty member may request, in writing, a tenure review during the terminal year. The executive committee may agree, but is not required, to conduct a tenure review and render a decision during the terminal year. A decision to conduct a tenure review in the terminal year will be communicated to the candidate in writing.

(3) A faculty member who waives his/her right for tenure review or who submits their resignation, may serve out the terminal year without a tenure decision being rendered.

(4) A faculty member who waives his/her right for a tenure review prior to the terminal year, may request, in writing, to be reviewed during their terminal year. The executive committee, at its discretion, may or may not agree to conduct a tenure review during the terminal year. Its decision will be communicated to the candidate in writing.

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