Recommendations of the University Committee to amend Chapter 5, UWM Regulations.  
(Fac. Doc. 914, April 17, 1975) (The amended language is bracketed and underscored)

5.15 **Appointment, Reappointment, Tenure, Non-Retention and Notification of Probationary Instructors.** An instructor is appointed for a probationary period of one year and may be reappointed as instructor for not more than six times, except as provided in 5.13 (1) and later in this paragraph. After not more than seven years of probationary service as an instructor at this University, whether continuous or not, the faculty member, upon the recommendation of the executive committee of the appropriate academic department or its functional equivalent, the dean of the college or school, and the Chancellor, shall be promoted to assistant professor with tenure or not retained, or, in exceptional cases, reappointed without promotion but with tenure. The instructor shall be informed in writing of that decision before the close of the faculty member's sixth year of service. These provisions do not imply any obligation of reappointment from year to year, nor do they preclude recommending an instructor for promotion at any time.

5.15 **Appointment, Reappointment, Tenure, Non-Retention and Notification of Probationary Instructors.** An instructor is appointed for a probationary period of one year and may be reappointed as instructor for not more than six times, except as provided in 5.13 (1) and later in this paragraph. After not more than seven years of probationary service as an instructor at this University, whether continuous or not, the faculty member, upon the recommendation of the executive committee of the appropriate academic department or its functional equivalent, the dean of the college or school, and the Chancellor, shall be promoted to assistant professor with tenure or not retained, or, in exceptional cases, reappointed without promotion but with tenure. The instructor shall be informed in writing [by the appropriate administrative officer] of that decision before the close of the faculty member's sixth year of service. These provisions do not imply any obligation of reappointment from year to year, nor do they preclude recommending an instructor for promotion at any time.

5.16 **Appointment, Reappointment, Tenure, Non-Retention and Notification of Assistant Professors.** After not more than seven years of probationary service as assistant professor, or instructor and assistant professor, except as provided in 5.13, the faculty member shall be promoted with tenure, not retained, or, in exceptional cases, reappointed with tenure. The decision on which course to take is made on recommendation of the executive committee of the appropriate department or its functional equivalent, the dean and the Chancellor to the Board of Regents. The faculty member is notified in writing by the executive committee of its decision one year before the end of the faculty member's appointment. If a
5.176 Dean's Action on Positive Recommendation.

(1) If the executive committee forwards a positive recommendation for tenure, the dean shall forward the recommendation of the departmental executive committee to the appropriate divisional executive committee with a request for advice. The divisional executive committee's recommendation must accompany the dean's recommendation when forwarded to the Chancellor.

(2) If the dean decides not to accept the recommendation, the dean shall notify the chairman of the executive committee, with a copy to the individual involved, of the decision within a reasonable time. If the faculty member within 5 working days requests written reasons and/or reconsideration, the dean shall respond to the request using the same procedures outlined for the executive committee.

(3) If the executive committee forwards a positive recommendation for a probationary appointment and the dean does not accept that recommendation, the dean shall notify the chairman of the executive committee, with a copy to the faculty member concerned. If within 5 working days the faculty member requests written reasons, and/or reconsideration, the dean shall respond to the request within 10 working days. If, after reconsideration, the dean's final decision results in non-retention, the dean must notify the faculty member.

(4) A non-renewal notice is effective upon its issuance by the dean. The time limits, as stated in 5.19 for issuing a non-renewal notice, are not extended by subsequent hearing or subsequent appeals.

5.24 Fair Hearing. The faculty member addresses a written request for a hearing to the chairman of the Dismissal Hearing Committee. A fair hearing includes:

(7) Findings of fact and a decision based on the hearing record.

(8) The admissibility of evidence is governed by Wis. Stats. Sec. 227.10. The burden of proof of the existence of just cause for dismissal is on the administration.

5.24 Fair Hearing. The faculty member addresses a written request for a hearing to the chairman of the Dismissal Hearing Committee. A fair hearing includes:

(7) [A finding of just cause based on clear preponderance of the evidence.]
faculty member is appointed assistant professor from outside the University of Wisconsin-Milwaukee, the appointment is normally for a term of two years. These provisions do not imply any obligation of reappointment, nor do they preclude recommending an assistant professor for promotion or tenure after a shorter period of service than seven years.

5.16 Appointment, Reappointment, Tenure, Non-Retention and Notification of Assistant Professors. After not more than seven years of probationary service as assistant professor, or instructor and assistant professor, except as provided in 5.13, the faculty member shall be promoted with tenure, not retained, or in exceptional cases, reappointed with tenure. The decision on which course to take is made on recommendation of the executive committee of the appropriate department or its functional equivalent, the dean and the Chancellor to the Board of Regents. [The faculty member shall be officially notified in writing in accordance with the provisions of 5.19 by the appropriate administrative officer of the decision at least one year before the end of the faculty member's appointment.] If a faculty member is appointed assistant professor from outside the University of Wisconsin-Milwaukee, the appointment is normally for a term of two years. These provisions do not imply any obligation of reappointment, nor do they preclude recommending an assistant professor for promotion or tenure after a shorter period of service than seven years.

5.176 Dean's Action on Positive Recommendation,

(1) If the executive committee forwards a positive recommendation for tenure, the dean shall forward the recommendation of the departmental executive committee to the appropriate divisional executive committee with a request for advice. The divisional executive committee's recommendation must accompany the dean's recommendation when forwarded to the Chancellor.

(2) If the dean decides not to accept the recommendation, the dean shall notify the chairman of the executive committee, with a copy to the individual involved, of the decision within a reasonable time. If the faculty member within 5 working days requests written reasons and/or reconsideration, the dean shall respond to the request using the same procedures outlined for the executive committee.

(3) If the dean does not comply with the procedures as covered under 5.176(1), the departmental executive committee may forward the recommendation directly to the appropriate divisional executive committee for advice. The divisional committee's recommendation must accompany the dean's recommendation when forwarded to the Chancellor.
Dean’s Action on Positive Recommendation.

(1) If the departmental executive committee forwards a positive recommendation for tenure, the dean shall forward that recommendation to the appropriate divisional executive committee with a request for advice. The divisional executive committee's recommendation must accompany the dean's recommendation when forwarded to the Chancellor.

(2) If the dean decides not to accept the divisional committee recommendation, the dean shall notify the chairman of the divisional executive committee, and the executive committee of the department, with a copy to the individual involved, of the decision within a reasonable time. If the faculty member within 5 working days requests written reasons and/or reconsideration, the dean shall respond to the request using the same procedures outlined for the departmental executive committee.

(3) If the departmental executive committee forwards a positive recommendation for a probationary appointment and the dean does not accept that recommendation, the dean shall notify the chairman of the departmental executive committee, with a copy to the faculty member concerned. If the Dean rejects the recommendation of the departmental executive committee without consulting the appropriate divisional executive committee, he must notify the appropriate departmental executive committee chairman with a copy to the individual involved. The departmental executive committee may forward the recommendation directly to the appropriate divisional executive committee for advice. The divisional executive committee recommendation must accompany the Dean's recommendation when forwarded to the Chancellor. If within 5 working days the faculty member requests written reasons, and/or reconsideration, the dean shall respond to the request within 10 working days. If, after reconsideration, the dean's final decision results in non-retention, the dean must notify the faculty member.

(4) A non-renewal notice is effective upon its issuance by the dean. The time limits, as stated in 5.19 for issuing a non-renewal notice, are not extended by subsequent hearing or subsequent appeals.

5.24 Fair Hearing. The faculty member addresses a written request for a hearing to the chairman of the Dismissal Hearing Committee. A fair hearing includes:

(7) Findings of fact and a decision based on the hearing record.

(8) The admissibility of evidence is governed by Wis. Stats. Sec. 227.10. The burden of proof of the existence of just cause for dismissal is on the administration.

5.24 Fair Hearing. The faculty member addresses a written request for a hearing to the chairman of the Dismissal Hearing Committee. A fair hearing includes:

(7) [A finding of just cause based on clear preponderance of the evidence.]
5.24 (Cont.)

(8) Findings of fact and a decision based on the hearing record.

(9) The admissibility of evidence is governed by Wis. Stats. Sec. 227.10. The burden of proof of the existence of just cause for dismissal is on the administration.

5.25 Dismissal Hearing Committee. The Dismissal Hearing Committee conducts the hearing in compliance with 5.24. This hearing is a closed hearing unless the person concerned requests a public hearing. The Dismissal Hearing Committee consists of five members:

The-Chairman-of-each-of-the-Executive-Committees-of-the-four-divisions,-Arts-and-Humanities,-Natural-Sciences,-Professions,-and
Social-Sciences, and the Chairman of the Codification Committee.

Should any member of the Dismissal Hearing Committee be disqualified, the committee of which such person is chairman shall designate from its membership a substitute, in consultation with the University Committee.

5.25 Dismissal Hearing Committee. The Dismissal Hearing Committee conducts the hearing in compliance with 5.24. This hearing is a closed hearing unless the person concerned requests a public hearing. The Dismissal Hearing Committee consists of:

The chairman of each of the executive committees of the faculty divisional committees and the chairman of the Codification Committee.

Should any member of the Dismissal Hearing Committee be disqualified, the committee of which such person is chairman shall designate from its membership a substitute, in consultation with the University Committee.

5.45 Committee Procedures.

(1) Any member of the University or the public may file a written complaint with the committee, setting forth specifically the alleged misconduct.

5.45 Committee Procedures

(1) Any [person] may file a written complaint with the committee, setting forth specifically the alleged misconduct.

(Presented to Codification Committee 9/25/75)

Respectfully submitted,

UNIVERSITY COMMITTEE

Carol Baumann
John Puegi, Chairman
Gerald Gleason
Max Kurz
Martine Meyer
Corliss Phillabaum