

Faculty Senate meeting, October 5, 2015

>> Chancellor Rebecca Blank: People are still coming in but I'm told we have a quorum. And in the interest in starting on time, I want to welcome you to the first faculty meeting of the academic year. It's that we see so much interest in the faculty senate. And we'll call the meeting to order. And as I call the faculty to rise as they are able for the reading of the memorial resolutions. Let me recognize Professor Neal Barney to read the memorial resolution for Professor Emeritus Frederick S. Brightbill.

>> Thank you, Chancellor Blank.

>> Chancellor Rebecca Blank: Why don't you come up here?

[Inaudible Remark]

We can all see it.

>> Frederick Stamm Brightbill was a tall kind man. He provided the gift of sight to thousands through the performance of corneal transplant surgery. He extended his hands by his teaching and surgical training of hundreds of ophthalmology residents and corneal transplant fellows. As the editor of the leading textbook of corneal transplant surgery, he poured over every sentence to assure accuracy and that only the highest quality chapters were present in the book. He mentored young faculty in ways beyond that of ophthalmology. And each day, he gave testimony to the notion that all his professional accomplishments and his accolades hailed in comparison to be a part of a wonderful family. Thank you.

>> Chancellor Rebecca Blank: I want to recognize Professor Brightbill's wife, Connie Moffatt Brightbill who is with us today, and thank you for coming.

[Applause]

Let me recognize Professor Jim Escalante to present the memorial resolution for Professor Emeritus Walter Wittich.

>> Professor Walter Arno Wittich died this past April at the age of 104. He was born in Sheboygan and received his PhD from the University of Wisconsin in Madison in 1944. Professor Wittich joined the faculty at UW and became the director of the Bureau of Audiovisual Instruction. He was an innovator in using media to enhance classroom teaching. And he retired from UW after 30 years. In 1974, he joined the staff at the University of Hawaii where he set the groundwork for the creation of instructional television in the state. In 2007, he received the Bascom Society Award for his generosity and creating scholarships.

>> Chancellor Rebecca Blank: Thank you, Jim. And you may all be seated. You're going to fill up all the chairs here. They're still arriving in the room. Good afternoon. It is always good to see all of you at the beginning of a new academic year. And I hope you had a good and productive summer and that the fall semester is well launched in all of your departments. I get to give the State of the University Address here, and there are a number of things I want to say but let me start with the very good news that Dr. William Campbell, who received his doctorate here in 1957, early this morning was announced as the Nobel Prize winner in medicine for his work on drugs to fight tropical diseases. So, congratulations to him.

[Applause]

I want to say a warm welcome to all the new senators and to extend my thanks to a number of people here. First, thank you to Beth Meyerand who stepped into the role of UC chair, and to Anja Wanner [assumed spelling] and Ruth Litovsky who are new members of the UC. Thank you to the secretary of the faculty, Steve Smith, who's done a terrific job in the midst of a challenging spring and summer, his very deep understanding of this campus and what it takes to support world class faculty here. In the current environment, he's been of enormous value. And finally, thanks to all of you, for your willingness to provide leadership on this campus and the search here on the faculty senate. I have the opportunity in late August to welcome about 80 new faculty to campus, and it reminded me all over again about the great people who work here and who continue to seek positions at this world class university. We have also welcomed some very talented people to the leadership team. Some brand new to the university and others who are-- have simply switched roles. Charlie Hoslet has become the Interim Vice Chancellor for University Relations. Charlie, wave your hand back there. He is filling in for Vince Sweeney who retired this past summer and we are in the midst of a search for a permanent replacement. We have a new dean at the graduate school, Bill Karpus. I know Bill is here, stand up wherever you are. There you are. Who has come here from Northwestern University. He will report to and work closely with Vice Chancellor for Research and Graduate Education Marsha Mailick. And we are very fortunate. I want to say thanks over the last year to having a Associate Dean Wendy Crone serve in that interim position. We have a new dean of the School of Education, Diana Hess. Is Diana here? I haven't seen her. There she is. All right, stand up so we can see you. Diana.

[Applause]

You get applause. Clearly they love the school of education. Diana is a long time member of our faculty but has spent the last several years as vice president of the Spencer Foundation in Chicago. And she succeeds Julie Underwood. And I owe thanks to Julie as well, who's returning to the faculty after 10 years as dean. And lastly, I want to recognize dean of nursing Katharyn May who just announced that she is stepping down to return to the faculty after 15 years in that job at the School of Nursing. So we will be launching that search this coming fall. Outstanding faculty, staff are our most important assets. Now I know that this has been a challenging time for leaders here at the university. To lead an institution to a period of change is never easy but change also brings real opportunities. And I am quite sure that together we're going to find ways to create a stronger and a more resilient university that can grow and thrive through this century and well beyond. So, I want to talk this afternoon about how we do that. And [inaudible] doing an update on a number of different issues, and let me start with everyone's favorite topic, the budget. You all know that the state budget this last year brought some deep cuts to our finances. We were handed an \$86 million deficit effective July 1st. It is unfortunately not news anymore when a state cuts financing to higher education. That has been happening for over 25 years in every state in the country. To fill this deficit, we have cut or redirected about \$34 million and many of you have felt some of those cuts in your department. You're being felt across the university. We've also received permission from the regions to raise out of state and professional school tuition over the next two years, and we talked about this some last spring, which brings in about another 17 million this year, and that will increase another 15 million next year as we go through the second tranche of those tuition increases. Now if you are doing the math, you will notice that this leaves us with an ongoing deficit. And that of course assumes no salary increases, if faculty are being recruited way, no price increases, no other changes in any other cost around the university, relatively unreasonable assumption. We face two choices, either we're going to have to find ways to raise new revenues and to

be creative about how we run the university or we will face further budget cuts. Budget cuts on the order of another 30 million this year and ongoing 10 to \$12 million every year thereafter as long as we have frozen tuition levels simply because we know that we will have to raise salaries among people who are recruited. We need to at some point give salary increases to our very good staff, who have for far too long have not received those increases. And we have ongoing cost increases coming at us from all sorts of other areas. So I want to talk a little bit about how we're going to, my proposal, be creative about raising our revenues and running the university more effectively. And there are a number of issues here. I mean, I think, the biggest challenge here is how to create a stable revenue base with a higher level of revenue so that these cuts don't swing us around in the way they have this past year. And that's not just about filling the hole this year. It's about preparing us for the fact that we have seen steady declines in state funding for years and were likely to continue to see that, whether it will happen in the next budget or two budgets from now, we need to be prepared to fill that hole with new revenue sources that we look at from elsewhere. So let me start by talking about a proposal that I know you've all read about this last weekend in the newspapers that I'm going to be bringing to the Board of Regents. And this is a proposal that does add to our revenues, but let me say that it's a proposal that I think we would be discussing in any case for the following reasons. The number of high school graduates in this state has fallen by 10% in only the last six years and is forecast to decline further. In that particular world, fighting with other schools in the system to basically try to get a steady number of the declining base doesn't make a lot of sense. Now in this world, there are two things that we at Madison can do. And I have to say this is not just about us, it's about the entire state. Because if this state is going to create jobs and experience economic growth and income increases, it has to have workers because the industry will not come here unless it has an available work base and our declining demographics are a real problem on that front. So one thing we can do is that we are particularly well situated to attract those very top students who may or may not be looking at Madison but is certainly looking at schools around the country, and what we want to do is have them look at Madison and have them come to Madison if at all possible. One piece of this is a guarantee that in the face of further declines in high school graduation, we will continue to guarantee a minimum of 3500 freshmen Wisconsin students in our class every year. That will be an increase in share of the number of high school graduates. And the only way we do that without seeming-- declining quality in our opening-- in our entering class is to make sure we do a better and better job of recruiting the very top students around the state. Our admissions office is working on that. I can tell you a whole number of things that they are doing, or come talk to us if you're interested in that. We need to keep pushing on that front. Secondly, however, we are one of the few institutions in the state that can actually bring in highly skilled young people from not just around the nation but around the globe. And the second piece of this, in the face of a guarantee for Wisconsin students is to raise the cap on out of state students. And say if we do expand our size by any amount, that expansion will occur with out of state students. Now let me be clear, we have real constraints on our ability to expand class size. We have dorm limitations. As you all know, we have limitations in those entry level classes. We're not talking about big expansions in class size. In the next several years, my guess is we're talking about a couple hundred new students. But if we raise the cap, rather than having to take two Wisconsin students for every out of state, we would be able to-- if we lifted this cap, we would be able to make that additional increase in students coming from out of state students where our applications have been growing very rapidly and are more than abundant. Top high school students from Wisconsin who stay here for college are far more likely to get jobs here. And students who come from out of state are much more likely to stay in the state than those who've never

arrived here before. So, our percentage of out of state students staying in the state to work is about 15%. It's not tremendous. Quite honestly better than I think Michigan used to do from what I know of the Michigan numbers. But that's also something to work on. And I've been talking with Ray Cross in the system about how we partner with industries and businesses in the state to do things that put those businesses in front of our students, in the Engineering School, in the Business School, in other areas of the university, so that students get to know who in the state is hiring, what the jobs are and are therefore likely to take some of those jobs and to stay here. I am very committed to both keeping the best students here in Madison so they stay in the state for college and then hopefully stay here to work afterwards, as well as working to attract some great out of state students into the state. That yes does help our budget. But given the demographics of the state, this is something we need to be doing in any case and working with other schools in the system on. In addition to that, number two, we talked about this a number of times last year, we have to be looking at market tuition rates for our out of state students. We are competing with a whole number of other public schools around the country and our tuition is lower on average than our peers, certainly in the Big 10, certainly around the country. I'm not asking to raise tuition to unreasonable levels for out of state students, but I think raising it to at least the median and the big 10 for out of state students is the reasonable thing to do given our quality level in the Big 10. So, looking at that and talking with the state about in state tuition, which cannot remain frozen forever. I'm an economist and prize freezes have all sorts of problems in the long run. Every piece of experience we know about says that and hopefully at some point that tuition freeze will come off, and we'll talk about what's reasonable in terms of in-state tuition and cost increases. Thirdly, we absolutely have to continue to make the case for state support. And I know many of you helped us with that. Many of our alumni around the state helped us with that in the past-- in this past year. While we didn't accomplish everything we wanted, I can tell you we could have done much worse than we did. One of my high priorities this year is continuing to build closer connections between state legislators in UW Madison. For instance, we are going to be inviting many of the state legislative committees to campus to talk to people in their area of expertise. And I hope if we come to your school of college or your department and asked for your help with that, that you will all help us put those sorts of programs together. We are in a campaign to talk about the contribution of this university to the state and the important synergies and partnerships that we have been in for 167 years. And that campaign isn't going to end just because the last budget year was over and the next one is still a year off. Fourthly, we have to continue to find additional ways to generate revenues and I want to complement many of the departments represented in this room have been very entrepreneurial and very creative. Thinking about ways in which they can use their comparative advantage in the education space in a way that also increases revenue for their department. So, expanded learning opportunities for midcareer professionals, expanding professional master's programs or capstone certificate programs, these are things our university needs to do and continue to do more of and I encourage all of you to think entrepreneurially inside your departments and schools and colleges on how to push further along those lines. Another way to generate additional revenues, and I know many of you have heard me talk about this is, you know, this is sort of a really obvious thing to do here that if you use economist language low marginal cost. Many of these buildings stood empty for three and a half, four months out of the year and expanding our summer course offerings and our summer tuition revenues is just a no-brainer thing we all have to be working on. We are last among seven peer institutions in the average number of summer credits taken by our undergraduates and our summer tuition revenues are well below our peers. Berkeley enrolls 16,000 students in the summer, generates 42 million in tuition revenue. We

enroll 13,000, not that for off in numbers, but generate only 18 million. By offering courses that students need to graduate, we can reduce time to degree and reduce student debt. That is a very good thing to be doing. And also reach out to new audiences. Who doesn't want to come to Madison Wisconsin in the summer, whether that's professional certificate programs, whether that's special programs for visiting international students, whether that's building on our wonderful linguistics programs and bringing people here to study languages, we need to be thinking about this. Now, we had a group led by Jeff Russell, the dean of continuing studies, thinking about all the things involved here. And I am very well aware that a new budget model that incentivizes departments and that shares that summer tuition revenue with the schools and colleges and with the departments is an important piece of this and you'll be hearing more about that in the year-- in the months ahead. We also-- a piece of this is also I might say some minor changes in the academic calendar which we need to do for a variety of other reasons as well. It's not just being driven by this thought about summer programming and you'll be looking at that later today. So, I hope you'll hear more about this and I hope you'll be talking about this actively in many of your departments about what do we need to be doing to offer strategically a set of courses in the summer that serve our own students and potentially bring other students into campus, enhance our revenues and enhance our ability to basically provide education 12 months out of year. We are at the end of the day a major educational institution. In addition to all of that, we always have to work on the expense side, have to run more efficiently, have to run more effectively. And you hear about that regularly from your budget officers and from our central finance and budget office and those conversations aren't going away either. I can promise you. Lastly, we have to continue to work on fund raising from our alums and our friends. So it's not an institution in this country of higher education that doesn't have increasing reliance on philanthropic gifts, particularly from their alumni. As many of you know, we are publicly launching our-- a major fundraising campaign on homecoming weekend, that's about two weeks from now, Thursday night. The deans and many of their advisory committees are involved. We're expecting well over a thousand people at that event at the Kohl Center, and many of you will be involved in this because boards of visitors are in town that day and the next and you'll be meeting with them. The public launch comes at the end of two years, a focused effort in preparation, and the deans have worked very hard to put together fundraising plans for their units and our aggregate goals and priorities are really based on those fundraising plans by the deans, focused on student support, financial aid, focused on faculty support, improving the educational experience here and the what happens in and outside the classroom, and support for research and innovation. The quiet face of this campaign has been, I think successful beyond anything that I or the head of the foundation Mike Neder [assumed spelling] expected, and that puts us in a great place to publicly launch the campaign. Many of you know that last November, John and Tashia Morgridge pledged \$100 million dollars to match any donor who wanted to endow a professorship, a chair or a distinguished chair. I think you probably all know the story as well. Mike and I had a number of bets about how many years it was going to take us to match \$100 million. Well, six months after this pledge got made, we had to go back to John and Tashia and say, we're at 95 million, we've got 30 active conversations, how do you want to close this off? And John and Tashia, generous people that they are, said let's set a date, we said June 30th-- oh, June 8th. They said, whatever you raise by June 8th, we'll match. And if you don't get to \$100 million, we aren't going to match 100 million. But if you go over, we'll match whatever you raised. In the end, we raised 125 million, they matched that. And we now have \$250 million in endowed funds for new faculty chairs which you and your departments are all going to benefit from and that money is felt in every

school and college around the university. There's no one who has not benefited from the Morgridge match. That's 142 fully endowed chairs and professors.

[Applause]

That is the power of alumni fundraising, when we can get our alumni excited about what's happening on campus, and that is the transformative gift on this campus. We have more than doubled the number of fully funded chairs here. And again, you're going to benefit from all of this, you and your successors for years and years to come. Secondly, after the Morgridge match, we announced our next match, the Ab and Nancy Nicholas match on scholarships for undergraduates, graduate students, professional schools, athletic scholarships, and I hope all of you are working hard with your boards of visitors and friends and alumni to raise matching money there, and that's a \$50 million match. Another higher priority for all us. Third gift that's come in recently, the Grainger Foundation last year gave us \$25 million to establish the Grainger Institute for Engineering. This year they came back and added another 22 million focused entirely on undergraduate programming in the School of Engineering, ended providing advising, some additional faculty, providing a maker space over in Wendt Commons for undergraduates to work with. Those are the sorts of ways to enrich the educational experience for which we don't have state and tuition dollars, but which our private fundraising can really help. Those sorts of examples are a sign of what we can do with this fundraising campaign as it moves forward. Having said all that, let me say something very important that you all need to know these talking points because I promise you, your friends, your relatives, your neighbors, your state legislators are at some point going to come and say, well, Madison doesn't need any money, look what they're doing in private fundraising. OK. Here is your response. Number one, private fundraising is not discretionary dollars that can be spent anywhere in the university. It is tied to very specific projects and it doesn't replace state budget cuts. Number two, these are largely endowments, not spendable gifts. So when I say I raised \$250 million, that is going to pay out once it's in hand, which will take five or six years, at a four and a half percent rate and we will get about \$11 million a year. Don't look at the total, look at what's coming back in spendable income every year. An important amount but a lot less than, you know, that big headline number. Thirdly, many gifts are pledged now but not paid out. Now, I'm an economist. Let me just say that the way we count for campaigns makes no sense at all and I'm deeply embarrassed as an economist to tell you this, but if you gave me a gift, an inheritance gift from upon your death and you're currently 30 years old, we counted at full dollars, right? If a foundation gives us money and it's not going to pay out over 5 or 10 years, we're counting the pledges, not the dollars in the door. Every school does this, but the result is the total numbers we talk about here often overstate the actual dollars we have to spend at any point in time. In the long run, they're all valuable and all important but announced gifts are not the same as spendable income and make sure you understand that and all your friends, relatives and particularly your state legislators understand that. Those are the things we got to be working on on the financial side. Let me turn to that to a topic we are going to have a long discussion about today, which is tenure, and I'll just say a few things about this. As you all know, we had a major debate on all of these this past summer and that debate isn't over. We were unique in having tenure defined in state statute. At other universities, it is usually embedded in the policies adopted by their board of regents or their board of trustees. When the legislature removed that policy from state law, the regions responded by adopting policies identical to the statutory provisions into region policy. That now puts us on a par with other peer schools whose tenure provisions are in governing board policy. Unfortunately, as you also know, the legislature also, because now they weren't defining tenure, took the statutes around staff and dumped them into a part

of the state law and said this now applies to faculty as well, and those statutes are inappropriate for tenured faculty. However, that does not mandate that we-- you-- what it says is the board of regents, the universities can use their power for laying off tenured faculty at any number of ways. The immediate response that any agency upon being handed statutory language like this would have is they write their regulations. They write regulations indicating when and how, if ever, they will use that authorized power, and that's what today's discussion is about. What regulations are we going to write around the statutory language that limits us as to how and when and under what circumstances we ever consider laying off tenured faculty, and we'll have that conversation. The regents have indicated they expect to approve a policy that is largely consistent with our peers and I must say the policy that you have in front of you is largely consistent with our peers and that it's based on reading through many of the things that our peer schools do. And consistent in the same way our peers are consistent with the standards of the AAUP. I want to thank the faculty committee that worked diligently from July to September to do this work and Dorothy Farrar Edwards in particular is going to presenting this with the head of that committee. And, you know, it was a lot of work in a very short period of time. And I know we'll have a conversation about it and there'll be some things that get changed but it's good work and it gives us the right based on which to move forward. Today, we're going to have the first reading of these changes. That means, you can't make any amendments, you can simply advise the committee and then you see how you'd like it changed. They will make changes, bring a revised version back to the next faculty senate and that faculty senate, that will be the first Monday in November, will then act on this, vote on it, issue amendments, whatever you guys decide that you are going to do. So, on the policy that you're discussing today is a proposal for UW-Madison. As many of you know, the UW system has its own tenured taskforce, we've got some people on it that are looking at these issues to write a system-wide policy. Because we have our own separate HR system, I have been told that the regents are willing to consider differences between what we at Madison do and what other schools do. Now, our policy is out first and I suspect it's going to be a guide to the policies that that committee uses, but there will be some back and forth in the regents about this policy versus the policy that covers other schools. And as you know, you will vote to adopt something to put it into faculty policies and procedures. That does not happen until it is approved by the regents. So the regents will also look at this at the same time as they're looking at their policy for all the other schools in the system. And when they vote to accept it, then it becomes formally part of policies and procedures. I very much hope we can get this done before the end of this year because as you know, we're all going into recruitment and retention season. That may or may not happen. It depends upon the level of discussion and debate and disagreement among all parties, but I very much hope that it will and I encourage you to try to come up with something that you approve by the November meeting so we can send it on to the December board of regents meeting. So, that is how we're proceeding on the tenure front. The legislature also made changes to shared governance and they weakened shared governance. No question about that. Having said that, we still have in state statute, more detailed and specific shared governance provisions than many of our peers. We still have a pretty strong shared governance instead of language there. I have written to all governance groups and indicated that I see no reason why our standard practices around governance should change as a result of the modification made in this last budget. I certainly expect to continue to consult broadly. I expect the faculty to hold responsibilities for those decisions that faculty must have over tenure, over hiring, over faculty disciplinary action. In other words, I expect our system will continue to operate as it has in the past. I feel pretty strongly about this issue and I've suggested the shared governance chairs actually develop a statement that reaffirms this university's commitment to

shared governance following the changes from last spring, and I hope that they're all going to sign them and send it to me and I will sign it as well. Our biggest problem this coming year is not any of these individual issues in my opinion, it's the mix of all of them, right? As you all know, we have been out there in every higher education publication and many of the major newspapers with headlines often misleading such as UW abolishes tenure. That isn't what happened but that's what the headline said. And in the language of business, we have suffered some real brand damage. You know that when you go out into your professional meetings and people come up to you and say come up to me and say, what in the world is happening at Wisconsin, why is anyone staying there? What's going on? We, therefore, going to be a target this year for outside offers and it's going to make recruitment just a little bit harder. The provost, the vice chancellor for search and I have all stated our very strong intentions of working with deans, with department chairs to respond to outside offers as fully as we can and whenever feasible. I want to send a very clear message. UW is not open to rating. Let me give you an example of that message. In July, right after all of this happened, five of our top international relations faculty in the Political Science Department were approached by another university and said, "We're going to make offers to all five of you. We want to move you en masse to our university. You know, we needed a stronger international relations department. You don't want to be at Wisconsin. Just come." We responded, and in early September, we learned that all five are going to be staying here. That's the sort of stories we've got to get out. We are not open to rating at the University of Wisconsin. So, all of that says that strengthening trust and confidence among our various constituencies is important and I need you to be correcting misperceptions when they are raised by colleagues inside or outside this university. I also need people sharing all the good things that happen around this university everyday which don't get the publicity of the press because the press only writes about the controversial stories. There is a lot of schools. We were named for the second year in a row one of the world's top 25 universities. Our undergraduate applications continue to rise strongly. Our retention rate between freshmen and sophomore year exceeds 95%. That's as good as any big public university gets and far better than most of our peers. We continue to be a place of world change and research. And as you all know, are one of only two universities that has been ranked at the top five of total research expenditures every year since NSF started publishing that data. Rankings are impressive but the most powerful stories are not about numbers, they're about people and you can talk about the people in every one of your departments. People like Anja Wanner who took a class on English syntax, turned it inside out to engage students in different ways. People like math professor Jordan Ellenberg whose book "How Not to Be Wrong" has informed the world about the value of mathematics in thinking about almost anything. People like political scientists, Don Moynihan, Barry Burden, David Canon and Ken Mayer whose paper just won a major award. It's on the unintended consequences of electoral reform, which really points out some ways on which we should or should not be running our national elections. And people like John Hawks and his team who discovered a cave in South Africa with bones of a previously unknown human ancestor which has made the front page of every newspaper in the world. Those are the stories around campus that you need to be telling your colleagues, your junior colleagues and fellow colleagues here, your colleagues around the world and all of your friends and relatives around the state including your state legislators. Those efforts to build trust and confidence and to create a long-term sustainable financial plan for this campus will require innovative leaders. We are going to have to do some things differently. It's not going to be business as usual here. That is the world we're in. It is a world of change but change brings opportunities as well as pain and I do know the pain is real but the opportunities are real as well. There are so many reasons why we need to keep this university strong and thriving, not the

least of which is the world class education that we provide to a wide range and group of students. People like Drew Birrenkott, an engineering student who's now a Rhodes scholar. Drew told us the Wisconsin ideal, the commitment to improving outside-- lives outside the classroom made the following difference in his education. I love this quote, he said, "I don't know of many places that would have led an undergraduate write a senior thesis on comparative health care systems, build an infant cardiorespiratory monitor and a clean water system and conducts research on regenerative cardiovascular medicine. But in our pursuit of improving lives outside the university, UW not only does this but it thrives on it." Drew and all of his fellow students are one of the main reasons that we are here. As long as we can continue to provide that type of experience to our top students, as long as we can attract superb teaching and research faculty, generate the sort of strong alumni loyalty that astonishes me every time I go out on the road, we are going to remain a world class institution. So, thanks to all of you for your dedication to this university. I am honored to work with all of you and look forward to year ahead. Thank you.

[Applause]

You now got a chance to ask me a few questions. Anyone have questions? Come up to the microphones if you want to ask a question and you should all identify yourself before.

>> Chad Goldberg: Chad Alan Goldberg, District 71. Chancellor, nice to see you again. I am glad that you brought up this proposal to remove the app on out of state students. My understanding is that this proposal is at odds with the recommendations that were made in 2013 by the committee on undergraduate admissions improvement and financial aid and with the 2013 report of the ad hoc tuition policy faculty committee. I understand your arguments for this proposal that circumstances have change since 2013, but to be frank, I am probably a little bit concerned about this discrepancy and so, my question is how do you explain this discrepancy in light of the statements that you made today and you've made previously strongly supporting shared governance? And if I may follow up in the question, how is this decision to disregard the recommendations that these committees arrived at and how were faculty involved in that decision?

>> Chancellor Rebecca Blank: So, there was an ad hoc tuition policy faculty committee that I think reported out this spring before I came and there was a lot of discussion of that in the first fall that I was here. I actually, knowing this concern has been raised, have a copy of the committee report in front of me and I should note at least three options on page 1. It clearly does not choose among those options. They have different options and in fact, they're a little bit-- give some inconsistencies even among them. I think the committee did not come up with a single recommendation. Option two, let me read it to you. Hold the number of resident students constant but increase the number of nonresident students. And it suggests increasing by a thousand which honestly is more than we can probably have capacity for. But it is one of the options listed under the recommendations in that report. So, I actually don't think that this is inconsistent with that committee report. Yeah. Well, go to the mic so people can hear you.

>> There's a difference-- excuse me. There's a difference of course between raising the account for out of state students and eliminating the cap all together. So, why was the decision made to take more radical rounds of eliminating the cap all together? And again, let me emphasize. How were--

>> Chancellor Rebecca Blank: Yeah.

>> -- faculty involved in making the decision?

>> Chancellor Rebecca Blank: So, why was the decision made to eliminate cap all together? I might note, this is not a call to eliminate the cap entirely, it is a waiver for four years to allow us if we increase student size, increase that on from out of state while making a firm commitment to our number of instate resident students. That is not-- you know, that what's going to happen is that according to the proposal, the regents are going to review this every two years and at the end of four years will decide whether this makes sense or not based on what our numbers look like and what we're doing. So, this isn't a blanket waiver of any cap. I should say, we are one of only two schools in the Big 10 and the others have caps that are much more extensive than ours. So, given the number of students, I think we're likely to admit, we're not going to be pushing very far above our current cap. We're probably more in line with Ohio which is a guideline, I think of 30 or 35. So, that's something that's going to be considered. This is part of our whole set of budget discussions. I've had this discussion with a number of faculty. I've talked to the UC about this a number of times in the past. I obviously have a report that makes it as one of the recommendations. Like the other budget issues at the end of the day, we make a call as to what we're going to try to do to solve that deficit. The alternative is, as I say, a substantial cut that we bring down the line this next year which I think I would prefer not to do and it would be far more damaging to the university.

>> Thank you for your responses to these questions.

>> Chancellor Rebecca Blank: Yeah. Other questions, Judith.

>> Judith Burstyn: So, following up on the topic and as a member of a department-- Judith Burstyn from District 48, which is chemistry. So, as one of the departments that's very much affected by the size of our incoming class and we're unfortunately, we actually turned away students this year from our entry level courses. I'm just concerned about the impact on those of us who were seeing enormous enrollment increases and reduced, well, at least non-increase in about some money to educate these students.

>> Chancellor Rebecca Blank: You're not the only department that has those problems. It's there in UK. It's one reason why I actually, the recommendations toward increasing nonresident students by a thousand, we just don't have that capacity right now. That's not what's going to happen in anytime in the near future. Maybe at some point in the far distant future we'll have greater capacity but, you know, the new chemistry building is partially an answer to that. We were one of the only places that got funded for new buildings and that will help with your capacity. The summer schedule is part of the answer to that, that we need to be strategically running over the summer those large introductory classes that consistently fill up so students can take these all year around.

>> Judith Burstyn: But our discussions with departments-- with colleges and departments outside our own have been very clear that because of the pressure at the time of the degree, they want all students to get access to general chemistry in the first semester and we physically can't do this and our building does not come online until 2020.

>> Chancellor Rebecca Blank: And we are looking at other laboratories, as you know, that might be available around campus. But, you know, this is just-- it's a huge constraint. We have some similar constraints facing us in some other departments as well. I mean, it is why we just can't do very much. It's

why-- you know, I'm not very concerned when people say you just want to hugely increase the size of class. We can't do that. You know, we're talking about a couple of hundred students probably over the next several years. That is the most that we can accommodate and we have to do that in conversation with you and other departments that have real constraints to make sure that there are ways to deal with this. You know, one answer that I think we need to be thinking about is encouraging some students who are able and interested to potentially take some classes that first summer before they become normal freshmen. You know, that is an option because many students are actually here in the area. They sort of be here to get going there-- so there are things to do in terms of our admissions that I think can free up a little bit of extra space, but in the long run, we've got to work on the building constraints and on the faculty constraints and that's a long-run project not a short-run project. Yeah.

>> Judith Burstyn: I hope that you and the administration will be working with us to figure out what these things are rather than simply admitting the students and then having us disappoint them by turning them away and I think that's a very difficult situation.

>> Chancellor Rebecca Blank: And I promise you, you're not the only faculty member, the only department that's going to come and talk to us about this. Yeah. Anyone else? Yeah.

>> Noah Feinstein: Yes. Noah Feinstein. Community and environmental sociology. This is just a question of procedure. It sounded like you said that if we vote on a change to faculty policies and procedures regarding tenure that that wouldn't be approved until the regents approved it. Is that how the process works?

>> Chancellor Rebecca Blank: No faculty policy and process are ever in place until the regents approve them. Everything goes to the regents in that document.

>> Noah Feinstein: So all FP and P changes go to the regents?

>> Chancellor Rebecca Blank: Yes. And always have.

>> Noah Feinstein: Thank you.

>> Chancellor Rebecca Blank: Yeah. Given a busy additional things on our agenda, I'm going to call time and if there are other people who want to come talk to me, I will be here after the meeting or you know where to find me otherwise. So, thank you. Let me call Beth Meyerand to give you a report from the UC.

>> Beth Meyerand: Thank you very much, Chancellor Blank, and I want to begin by telling you all how honored I am to be able to serve as chair of your University Committee this year. And I also want to call your attention to some PROFS information and materials at the door. I encourage all of you to join PROFS so that your voice can be heard by the legislature. This is obviously very important for the coming year when so many decisions will be made. So, we are clearly in the period of great change at this university and I hesitate to give you a list of items on which the UC will focus in the coming year because I fully expect to pick up the newspaper tomorrow and see something completely new that we need to address that might derail our plans. But what I will say is that the UC remains dedicated to serving our faculty colleagues. Obviously, the tenure and termination and post tenure review discussions are very important issues for the coming year. Also, the incorporation of the URC into FP and P as well as other changes to FP and P to reflect Act 55 changes. This will also be on our agenda. In the coming year we, as faculty, have to be mindful of the need to support and respect each other during all of these discussions.

Because of the vast nature of our campus, our daily lives can be focused in drastically different disciplines, concerns and associations. It's easy to slip into a belief that everyone has the same concerns, views and motivations as we do as individual faculty members. As the University Committee, it's our job to always check our intentions to make sure that we are always serving all of the faculty. I ask that you as senators go through the same self-check this year so that you can take actions that benefit more than just your unit or your sphere of influence. Because if you do, we have the opportunity to create an unassailable unity among our faculty. In the coming year, we, faculty may face challenges that cause us to feel angry, frustrated and even scared. If we can look past the emotions and instead focus on our common tie to this great university, and especially to the ties that we have to each other, I'm positive, there is no challenge that we can't meet and surmount. I'm happy to answer any questions you may have. Questions or comments?

>> Chancellor Rebecca Blank: Thank you, Beth. All right. We've got a number of quick items to go through on the agenda. If you turn to the minutes of the fourth of May 2015, are there any additions or corrections to those minutes? Seeing none, the minutes are approved as distributed. We also had a special meeting on the 9th of June in 2015. Are there any additions or corrections to those minutes down on page seven and eight of your packet? Seeing none, those minutes are approved as they are distributed. If you look on pages 9 and 10, I want to call your attention to faculty document 2568, highlights the faculty legislation and faculty senate business for 2014 and '15 which is a report on some of the things that happened that year and you should look at it at some point. Agenda item number eight. I'm going to recognize Professor Meyerand who is going to move to confirm an appointment to the committee on faculty rights and responsibilities.

>> Beth Meyerand: Thank you, Chancellor Blank. I move to confirm the appointment of Professor Jean Bahr from the Department of Geoscience to serve on the Committee on Faculty Rights and Responsibilities for 2015 through 2016, replacing Nancy Kendall who is on sabbatical.

>> Chancellor Rebecca Blank: Is there any discussion? If not, I'm going to call for a vote. We do not need to second on something coming from the UC. All those in favor, indicate by saying aye.

>> [Simultaneously] Aye.

>> Chancellor Rebecca Blank: Any opposed? Any abstentions? That carries. Next item. Professor Meyerand is going to move to confirm an appointment to the committee on faculty rights and responsibilities, another--

>> Beth Meyerand: I move to confirm the appointment of Professor Jin-Wen Yu from the Department of Dance to serve on the Committee on Faculty Rights and Responsibilities for 2015 to 2016, replacing J. Michael Collins who is on sabbatical.

>> Chancellor Rebecca Blank: Is there any discussion or questions on that? If not, I call for a vote. All those in favor say aye.

>> [Simultaneously] Aye.

>> Chancellor Rebecca Blank: Any opposed? No. Any abstentions? All right. I then recognize Professor Meyerand who is going to move to confirm an appointment to the Library Committee.

>> Beth Meyerand: I move to confirm the appointment of Professor Linda Graham from the Department of Botany to serve on the Library Committee for 2015-2016 replacing Cécile Ané who is on sabbatical.

>> Chancellor Rebecca Blank: Questions or discussion? All those in favor say aye.

>> [Simultaneously] Aye.

>> Chancellor Rebecca Blank: Any opposed or abstaining? One more Library Committee nomination.

>> Beth Meyerand: I move to confirm the appointment of Professor Neil Kodesh from the Department of History to serve on the Library Committee for 2015-2016, replacing Larry Nesper who resigned.

>> Chancellor Rebecca Blank: Questions or discussions? All those in favor say aye.

>> [Simultaneously] Aye.

>> Chancellor Rebecca Blank: Any opposed or abstaining?

>> That carries.

>> Chancellor Rebecca Blank: All right. We're now to the item that you've all come for. I'm going to ask Professor Dorothy Farrar Edwards who chaired the committee to introduce the draft proposal for revisions to Chapter 10 and FPP. Following that presentation, we're going to open for discussion. As I note this item is not to be voted on today. There's no amendments. There's no votes. It's discussion and advice to the UC to draft the final document and back to you next month in the November meeting. As we move into the discussion, I will ask everyone who wants to speak to identify themselves before they speak so we all know who's talking.

>> Dorothy Farrar Edwards: Thank you, Chancellor Blank. I'm going to review some process before we open for discussion. I first want to thank everyone who served on all the committee members on the ad hoc committee who worked so hard this summer. And I want to also thank everyone who came to the three listening sessions last week on Tuesday, Wednesday, and Thursday. And also additionally want to thank everyone who submitted some really excellent written suggestions and comments. And I'm going to encourage you to continue to do that until the end of the week, October 9th. But let me talk a little bit about process before we get into the discussion just so that we're on the same page. This is the charge. What you see behind me is the charge to the ad hoc committee. Ad hoc committee which I chaired was-- had representatives from across campus, all faculty. And the charge that we were given was to draft language that would provide UW Madison policy governing the conditions if any under which program changes would lead to a review of the positions of tenure to tenure track faculty and the process that we would follow. So, basically what the ad hoc committee did was to draft changes to the faculty policies and procedures Chapter 10. That is the draft that you received as part of the materials for today's meeting and that was the draft that was discussed to the listening sessions last week. It is just not a draft. And then I want to go through what the process that we're going to follow to incorporate all the excellent suggestions that we got. So the process for rewriting the recommendations and again as you, the faculty senate, which you'll make the final determination of what these changes are. We have the presentation of the ad hoc committees document that came to the University Committee. It was approved unanimously by the University Committee and then sent out to the faculty. We had the three listening sessions that I mentioned that generated feedback. Two of those three sessions were recorded and we've had the opportunity to listen to the recordings and we also got

substantial written comments at the time which have been very helpful. We got some additional comments. We got an excellent document and a review from Jordan Kurland from the American Association of University Professors that took our draft document and made some very, very specific and very helpful recommendations. So I want you all to know that we have that document. You got a copy of I believe David Vanness today. And we've now had a chance to really review it and discuss it. And we find that there's great deal of material in there that's very, very helpful. The university-- we'll do the first reading today. We're going to solicit all of your comments are being recorded, they're also being noted. We're going to also ask for written feedback. The University Committee will then take all of that information and put together as our job as the University Committee now to do a second draft of the document which will then be sent out to all of you and to the campus as a whole or review prior to the November faculty senate meeting. The faculty senate-- at the November meeting, you will have the opportunity to revise, amend, reconstruct, do whatever the will of the senate is and that's the document that will be sent on to the board of regents. So what are some of the comments? I just wanted to briefly summarize, and it's really hard to have slides behind me. There should be something here at the podium. We should come in to the 21st century here. But anyway, so you can read behind me and I'm not sure how the slides are moving. Can you hear me? OK. I like to be able to see what I'm taking about. But I'm sorry if I turn my back on you. Anyway. So some of the comments, we had a suggestion actually, several suggestions to change the title of Chapter 10 from what the draft documents had and that's an excellent suggestion. And we have several different wordings but the title will be changed. We also were asked to put in definitions of the terms and as a behavioral scientist I really do believe in operational definitions and I must admit that we should have done that in our original draft document but we're working on that now. And see, these are some of the terms that we were asked to define in Chapter 10 program and we have a number of different forms of programs here at the university and we had concerns raised by particularly our extension faculty. And we really need to clarify the term program and what a program means because the issue of program discontinuation is central to this document. What is a layoff and what's the difference between a layoff and a termination? We use those terms interchangeably in the draft document. That needs to be clarified. What do we mean by reassignment associated with displacement and how would that actually work? Are we talking about a position of equal rank and equal standards, because we need to clarify that in a document. We use the term retraining and that also needs further specification. And then the big issues, what are-- what is actually curtailment modification and redirection. Those were the-- that's the terminology use in Act 55 and we need to be more specific about that, and what this issue of advisory and how we are advisory and who we're advising. Some additional comments from the listening session. If you could go to the next slide please. Is we had some several individual suggests that we add back in the campus specific financial emergency or financial exigency provisions, and then to clearly distinguish program closure discontinuance from program curtailment modification or redirection. This is a critical issue in the AAUP standards that needs to be addressed in a new document. So, what are we going to do? We are going to revise the preamble. We're going to insert operational definitions that are new. We are going to discuss the issues of financial emergency and whether that should or should not be included in the revised Chapter 10. We're going to-- we actually had a reference to the UAPC APIR document about program change and we're actually going to incorporate terminology from that document instead of just citing it and say look at this. We're actually going to bring in relevant sections into Chapter 10. We're going to look at the effects of program curtailment modification and redirection and how that would affect the reassignment process. We're going to further specify program discontinuance. That's the provision

that's consistent with the AAUP standards in terms of layoff. That's the only condition under which layoffs can take place. And then we're going to do a further review and probably specification of the process piece in terms of notifications, hearings, reviews, and retained rights, severance. There's been quite some suggestions in terms of severance. So in addition to the comments made today which were really looking forward to hearing, I want to thank those individuals who have taken a considerable top, amount of time and effort to submit very, very detailed and very, very helpful revisions to the existing document. I want to thank Professor Brian Yu who submitted a revision, a set of revisions representing the PROFS steering committee. Sorry. Tim Yu. Professor Tim. Hi Tim. I see you back there. Sorry. Judith Burstyn actually sent this morning a very, very detailed review and comments that's very, very helpful. And then we have the benefits of Jordan Kurland's review from AAUP. The University Committee will be very busy over the next few weeks formulating revisions. I think that that's why you sent out drafts. We've really been very, very encouraged by the strength and the depth of the feelings on this campus. And we think that we want to create something that we're all comfortable with because this is very, very important. You're certainly as you know-- all know, the University Committee meetings are open and you certainly-- this will be discussed at the University Committee meetings and you're certainly welcome to, you know, drop on by. And we actually do listen to comments made by people who are there. We recognize individuals who take the time and effort to come and sit on on this meeting. So we want this document to reflect the will of the faculty. It's very, very important. And I think now we'll just open the floor up for comments and questions.

>> Chancellor Rebecca Blank: All right. Please come to the microphones if you want to speak. I'll probably iterate between microphones if you've got people at both. I would ask that everyone speak once and wait until we've heard from everyone before you ask for a second term to speak. First--

>> Bruce Barrett: It would be a long line by now. Bruce Barrett, family medicine, District 103. I would take Beth's words and Chancellor Blank's word, take this as a time to defend academic freedom actions of tenure and especially shared governments with every ounce of will that we have. Thank you.

>> Chancellor Rebecca Blank: Thank you.

[Applause]

>> Mike Bell: Hi, I'm Mike Bell from the Department of Community and Environmental Sociology. I wanted to thank the committee for its hard work and very difficult work. I know you have been dealing with and I really applaud you on your process and the different readings and taking people's comments so we really have some time to delivering on this. Well, I have a more general question of about approach which I wanted to ask you folks about, which is my understanding is that we are free as I've heard the chancellor say, basically to-- what was given to the board of regents was permission to do things but the board of regents is, if you like, free to be like a god that creates a stone that it cannot lift, right? If you know that all conundrum. So, OK. Well, why can't in that circumstance, we simply take the AAUP standards and import them into Madison with no alterations? So I'm wondering it sounds, if I may say, like there's some other politics behind this, which are unclear to many of us in the room are wondering why this very simple approach is not being taken.

[Inaudible Remark]

>> Beth Meyerand: So, we certainly could do that. My emphasis to you would be to just to be mindful of the process. So, whatever the senate comes up with then goes to the board of regents for their approval, edits, whatever they want to do. As you said, they're kind of all powerful. If we don't give them a process-- We're very educated. We've had a process, as you know it, this university, to discontinue programs or departments. And it was in the Chapter 10 revisions, there was a process within FP and P and it's worked very well. I don't believe the regents is going to be-- are going to be aware of that process as it exist in FP and P. My concern is that they may not and I'm worried that if we do not give them a process with guidance and landmarks and a detailed description of how we would like this to play out, if they would choose to discontinue a program or a department, they will be left to their own imagination to come up with a process for us and that's my worry. If we don't have something, they're going to have to come up with it on their own and we may not like what they come up with. So, we certainly could-- we could just say we're going to stick with the way things were and that's better. It's a risk and I mean all of us just have to decide on our own whether or not that risk is worth taking.

>> Mike Bell: It strikes me as only a risk if the board of regents does not support the AAUP standards for tenure, and what you're telling me is that maybe they don't and that's very scary. Maybe the chancellor has a word on this one.

>> Chancellor Rebecca Blank: So, I will say that given the changes in legislation, I think everyone on the regents and most of the leadership amongst the different universities believes that we do need to write some additional regulations to make it quite clear about as they say, how we are going to-- what's going to regulate our behavior in the face of this new legislative language. And that is what this does. I think it is consistent with AAUP guidelines from a-- at least as I read them that's obviously a discussion we're going to have. But I do think that there is a very strong sense that we need to write some language that moves us forward and makes it clear what our procedures are.

>> Mike Bell: I understand the difficult balancing act. Of course, I'll leave it to other people to pursue the point further. But of course, if we do not protect tenure, this university is history.

>> Chancellor Rebecca Blank: That's exactly why I think you want to respond to this legislative language. It's pretty strong regulations. That's the--

>> Howard Schweber: Howard Schweber of District 73. I think so, [inaudible].

>> Chancellor Rebecca Blank: You don't know your district, I'm afraid you can now [inaudible].

>> Howard Schweber: I want to [inaudible] I forgot. I think it's 73. Political science. I was on the committee that met this summer. We spent an enormous amount of time, as you can imagine, having exactly that discussion. And that poses a difficulty because I have far too many things to say in response to questions that's been raised trying to speak them all at once, but then we just looked at a couple of points at the outset that I hope will inform both what our thinking was and perhaps that's the conversation that have been going forward. In the first place, we do not-- It is not quite the case that we or the regents, for that matter, have unlimited authority to want absolutely anything that we want and I second on that one, and my respect to the chancellor's legal judgment and yet. Any administrative regulation that directly contradicts this state statute is invalid. It's challengeable, it's unenforceable, and upon being challenged, it could lead to the entire edifice coming down. We have a question called

severability whether one piece can [inaudible] another. You really don't find ourselves in that position. So we had an outside, an outer bound from the very beginning. We cannot write something that outright contradicts legislature, that's just the full restriction. Politically, even before we get to the regents, one might consider the wisdom of saying to legislature-- How can I phrase it? Screw you. You adopted this elaborate new statute and we'll simply act as, oh, I didn't do anything, and ask the regents to join us this particular war against the legislature. That's not a terribly clever strategy by any measure. The third point that I think should be made is that when you look at the statutory language, there are a lot of moving pieces. And let me give you one example that I don't think has been perhaps shared as widely as some of the others. At the section called 3609 sub 4, right, what's that? Here's what it used to say. It used to say the faculty of each institutions-- and there's some dependent clauses-- shall be vested with the responsibility for the immediate governance of that institution, that you'll actually participate in institutional policy development. It doesn't say that anymore. What it now says is the faculty of each institution-- same dependent clauses-- shall have the primary responsibility for advising the chancellor. That does mean the chancellor has more direct authority over policy making in this university than was the case prior to the statutory amendment. If we wrote or proposed a set of rules that attempted to deprive the chancellor of that authority, it is unlikely the regents would exceed to it. It is possible it would be illegal under the statute. It's conceivable the chancellor might not exceed to it but we won't discuss that question. And it certainly would be rightly regarded as a direct defiance of the amendment for the statute. None of those are the right way to proceed. We did put together is a document with the strongest conceivable protections for tenure that we were able to make consistent with the statute. There [inaudible] AAUP guidelines don't forget our idealized statement. Very few institutions have rules that follow those exactly, including our peers in the Big 10. You made sure to continue to maintain shared governments by ensuring that any decision about program closure or faculty termination would involve faculty participation and an appeal, a faculty committee qualified to input its-- authorize, excuse me. To have its input on a decision before the chancellor sends any recommendation to the regents. At the end of the day, it is true that the regents have final authority over most of these questions but the system that we put together over this summer, one that you're looking at. If you look at it carefully, it's designed to preserve three things. Number one, it's extremely difficult to dismiss a tenured faculty member. It requires a structural change of some kind. The university and the procedure for that kind of change is elaborate and difficult and involves the faculty at every stage. Number two, faculty shared governance is maintained by insisting that faculty committees, faculty respond-- and faculty representatives and departments are involved in every stage of decision making as this process goes forward, and number three, up to the very limits of not outright contradicting the statute. We have attempted to keep all the protections in place in Chapter 10 in place of this new document.

>> Chancellor Rebecca Blank: Thank you.

>> Thank you. Bruce Thomadsen, Medical Physics, laid off the faculty senate. I'm not a senator anymore. Good luck to you all. I am going to call your attention to statement of the Wisconsin University Union that was in the back. You may have picked it up. And we had two recommendations for dealing with this and the first one goes along with the first speaker here that we don't have to assume, we need to adopt everything that we are permitted to in Act 55. And I would also call your attention to the new proposed counter policy or counter proposed policy from the chapter of the AAUP which has adapted much of the principles from AAUP to this particular situation. And we agree that just adapting AAUP is not a particularly good idea for us. The other point we would make in general is that the concept of-- that the

policy should stipulate the faculty should be terminated only in financial emergency and due cause, not to termination of-- due to program changes. The ad hoc committee in the listening sessions made a very good point that there have been very many programs terminated over the years here. Faculty has not been let go because of that. They don't need to start now just because they can. Should this faculty senate not choose to go back to a-- or go to a policy that's closer to what we had before, we would have five suggestions, one which they've already picked up that all the terms need to be defined very clearly. Of the other four, layoff and terminations have not been doing immediate in the past but you shouldn't pick them up now. I've already mentioned that. Programs need to be defined very carefully so that they aren't seen as an individual or maybe a couple individuals that a particular administrator would like to get rid of, and so you can get rid of that person's program to get rid of them. Program changes that had been approved by the University Academic Planning Council that would have effect on faculty members should be approved by this faculty senate. Decisions on getting rid of faculties, on layoffs or terminations, whether those be-- end up being defined as should be appealable to the faculty senate. And seniority should be playing a role in this. And a final word in the preamble we talk about that the measure of the quality of the proposal that comes across isn't how it compare with AAUP but how it compares with what we've lost, with what we've had as the great university of Wisconsin.

>> Chancellor Rebecca Blank: Dorothy, do you want to clarify something in the changes that you're expecting to put into this document that I think is directly relevant to it?

>> Dorothy Farrar Edwards: So, thank you. We-- I will say when we drafted the document, we felt that it was clear and clearly it was not clear. So, we're working with all these revisions and clearly the AAUP standard is the only time the faculty layoffs occur is when a program is closed. Program closure, discontinuation, that was actually our intent. It didn't come through as clearly as we would like and-- but as I've said, in every listening session that that's clearly one of the changes that needs to be made has been made many times in the recommendations and it's one of the ones that we'll follow. I also agreed that the articulation of what a program is and what a program isn't is equally important. And again, our extension faculty are particularly affected by this and we need to be aware of this-- how these changes play out again across all segments of the university. Thank you.

>> Chancellor Rebecca Blank: [Inaudible] I made a [inaudible] microphones, all right? You see to-- You're next.

>> Murray Clayton: Thank you. My name is Murray Clayton. I have a joint appointment in the Department of Statistics and the Department of Plant Pathology. I would like to elaborate on a couple of points have been made already. First of all, when this legislation was being crafted, legislators themselves told us that this is permissive, not mandatory. It wasn't a requirement that would follow through on this. Nonetheless, it seems that the ad hoc committee has adopted this as being mandatory. There are some inconsistency in my-- in that regard because in 10.04A1, it says in the event of curtailing modification or redirection, faculty will not lose their position. But in the event of a discontinuance of a program, faculty shall lose their position. So, we are already with three out of the four possible avenues defying, if you will, the law but that seems to be acceptable. I don't understand why we feel the need that we must dismiss faculty when a program is discontinued. It is certainly true that we discontinued many programs over the years, the UAPC has done that in many cases, but the process by which they've done it and the nature of a program in that case is much, much different. And I appreciate that the committee-- they-- UC is going to come up with the definition of the program which I hope will be a

sufficient strength that won't lose a-- it won't lose the force that we have. To agree that faculty can be dismissed means that we agree that tenure is not that strong. We agree that there are certain circumstances where a tenured person can be let go in the case of discontinuance of a program. That is a very weighty decision to make, I think. I would also like to say that I wish we would stop celebrating the fact that these rules, that if we adopt this change and this change accords roughly with AAUP and our peers. I wish you would stop celebrating that because that represents a loss. And what I would like to see is wording that takes us closer to the version of Chapter 10 that we had previously.

[Applause]

>> Chancellor Rebecca Blank: Judith.

>> Judith Burstyn: So, I want to address just a few specific, some of which have been actually mentioned that I submitted as written suggestions but I wanted to share with the senate. The first one is to think-- the fact that I agree that the title of the document as presented should be changed and that it should be explicit. I suggested layoff due to financial emergency or program discontinuance if in fact it is the decision that we want to lay people off for program discontinuance, but that it should be explicit. It's not about programs. The second point is that I personally feel that the preamble is unnecessary and should be deleted. That's my opinion. I don't think it's necessary to summarize the legislation or celebrate that legislation, and that one can just get to the point. My personal recommendation is that there will be these three distinct sections. I support this concept and I support the proposal made by tenure of the AAUP that there be a recreation of a financial emergency context on campus. Obviously that requires that the chancellor be the decisor or the initiator of said financial emergency. And we already have a faculty committee whose job it is to work with our leadership when such financial emergency happens. And it's clear and I think there is a reason for having such a financial emergency context for the university. So, I actually feel this is a positive re-addition or reinsertion. It gives the chancellor the opportunity, God forbid there should be such a need. Then there would be a second section if you choose to discontinue or to lay off faculty for program discontinuance for educational reasons. And AAUP is very clear that this is not a budgetary response, the budgetary response is the financial emergency. But for genuine educational reasons of discontinuance, it is within AAUP guidelines to lay off faculty in that context. If we choose to do that and to put that in our rules, then we need the details around how that happens. You can't simply cite a UAPC policy because UAPC policy is not statutory, it's not like FP and P, it's not like state statutes. It doesn't require amendment. Somebody can rewrite it. And so you have to articulate within the document what the specifics are. And then a third component would be the places where you are not allowed, according to AAUP guidelines, to discontinue faculty or to lay them off. Then it's this modification curtailment and redirection, and those are distinct, and then there's a process of reassignment which also needs to be articulated. I would urge you to define your terms really carefully, all of the terms, and also I would urge you to maintain-- there's a very careful definition on seniority in the existing documentation and I think there is value. Should one be considering layoffs to giving seniority some appropriate weight, and we already have that policy in existence. The last thing I will say is that the entire chapter should be written so that there is great care taken to protect the rights of the affected faculty and you can-- and to ensure that due process is followed as these layoff procedures might be enacted. You can't just assume that that would be the case. The language has to actually articulate the requirement for it to be so and how that takes place. We all-- We all feel very strongly that we would do the right thing, but it's a very good idea to have the right thing articulated in a way that it will be followed.

[Inaudible Remark]

>> Justin Williams: Yes, Justin Williams, District 37. Full disclosure, I was part of this ad hoc committee.

>> Chancellor Rebecca Blank: Louder.

>> Justin Williams: OK, thank you very much. I'm Justin Williams, District 37. Full disclosure, I was part of the ad hoc committee. I just want to clarify a couple of things that seems to be-- couple of points here. One is we have to realize as Howard said that this revised chapter does not exist in a vacuum, right? If we read this closely, it refers to existing procedures such as one Judith just talked about, it described procedures that had happened in any case where faculty is-- Where either a program or department is considered for change or a removal, as well as what happens to those faculty in that case. And it's clear for example in the AAUP guidelines that they say we're missing it. We need for example to make sure that we give our faculty 30 days notice. [Inaudible] guidelines give them 12 months as it stands right now. So I think we have to be very careful to think about, you know, this has a whole package, this does not exist by itself. And so therefore, to my second point is that, you know, I see a number of discussions about competing proposals and I would lend some serious caution to those, right? I think having competing proposals is not a constructive argument working. You know, this committee has done a lot of work and as you can see from the members, has taken this very seriously to make sure that this is going to stand up. And honestly, I think we need to look at this as an opportunity. This is an opportunity to tell the regents that we know what we're doing. We have closed programs before, we have curtailed programs, we have redirected programs and never lost a faculty. And what this Chapter 10 says is we're going to point to those, right? If in the doomsday scenario, the regents decide because they have this power, that they are going to enact it, then we say-- then this essentially says, well, we already have all-- everything in place for that and it all leads to no one being laid off. And everyone needs to understand that, that we are not mandating in this section that anyone be laid off or terminated. We're actually doing the exact opposite. We're setting up the procedures such that that will never happen. And if then if we do that in a way that regents think that we're serious and that they think we've taken their charge, then it's likely that they'll adopt that and everything goes back to exactly how it was. There are some modifications that have to be done to make all of these consistent with the way we want things to be and I think the committee is listening, is going to make those changes. And the last thing I want to remind everyone is that in some ways going back to the way it was, we feel that was a great security blanket, right? It was in state statute, and I think we put our head in the sand and said, well, tenure is in state statute this is really great. And it turns out that wasn't so great, right? That was changeable with one swoop of the pen in a budget bill. When I say our existing FP and P Chapter 10, or FP and P 5 is not compliant currently as it stands. Six months ago, we were not in compliance with AAUP standards. So in-- part of this is try to use this as an opportunity to get ourselves more in line with that, more in line with our peers and-- but at the same time realize that we are in a scenario, we cannot just ignore Act 55 like-- And then if we use this as an opportunity to go forward and make a stronger case, I think we're actually better off.

>> Chad Goldberg: Chad Alan Goldberg, District 71. I would like to thank the members of the ad hoc committee who've worked on this proposal and drafted this proposal and put a lot of hard work into this proposal. I want to commend the spirit of this proposal, especially section 1 and I want to commend the chancellor for insisting again and again that the language of Act 55 isn't a command or directive, but it's permissive and that it's up to us to write language that would determine when and how and under what

conditions we invoke in the authority that Act 55 predates. All that said, I think it's very clear that the draft revision is in fact not fully consistent with AAUP standards. I have heard a few people today and in the past say that it was. That's incorrect. We know that because of the AAUP's Department of Academic Freedom, Tenure and Governance, its analysis of this document, they pointed out a number of discrepancies between this document and those AAUP standards. And consequently I believe that the draft revision is-- I don't think it's acceptable in its current form. I think it has to be amended or a new policy has to be drafted as an alternative and I'm very happy to hear that the members of the University Committee are open to those kinds of changes that are needed in this document. I would like to say that the AAUP standards may in fact be ideals, I think how it's right about that, they are ideals. But if we, the faculty, don't stand up for our own ideals, how can we expect anyone else to do that for us?

[Applause]

And I'm hearing some of my colleagues say, well, we need to compromise, we can't insist on those ideals. We need to compromise because the regents and the legislators will do something worse if we don't compromise. Well, you might be persuaded by that argument, I'm not, you might be persuaded by that argument, but one thing should be clear, we can't have our cake and eat it too. So if you say we have to compromise, you can't say in the same breath, this document is going to be in accordance with AAUP standards and ideals. It's-- These are in contradiction to each other. So we have to choose whether to uphold their ideals or whether we want to do the dirty work for the regents and for the legislature. And I for one would prefer to uphold this against.

[Applause]

>> Michael Kissick: Hello, Michael Kissick, District 88, Medical Physics. This has been a very confusing issue for me. I read all these documents that had been coming in the emails and have been handed to me and I think the essence of my confusion is I don't know what parts of Act 55 are really strings and commandments that we have to give up doing, what parts are permissive and that we have flexibility to keep with the old system. I wonder if there's been good legal counsel on this and I'd like to actually know what are the firm changes from the law itself, and-- But before that answer--

>> Chancellor Rebecca Blank: I've got some firm legal counsel here [inaudible].

>> Michael Kissick: OK.

>> Chancellor Rebecca Blank: Yeah.

>> Michael Kissick: You know, it's one thing to make a broad statement. Oh, Act 55 is permissive. You know, what parts are? And I would like to say that we need to be as strong as we can to hold on to the ideals that this university is founded on. I don't-- I've been in the capital and I've been in the joint finance committee and I've heard legislators talk about the university and talk about us and I didn't like what I heard, and I don't think they have our best interest at heart. I'm not sure they have the health of this university at heart as a guiding principle. And I don't think we should be compromising the people who may be trying to harm the university, OK? And so we should be as strong as we can within the constraints. And the other thing I wanted to say is, I really like you, Chancellor Blank, but sometimes you say often it's in line with our peer organization-- our peer universities, and I don't think we need to be like everybody else. And so, I wish we'd stop trying to be the average. Thank you.

>> Chancellor Rebecca Blank: Let me-- [applause] let me call on the university general counsel to answer the question.

>> Many thanks, Chancellor. Let me put it this way, Act 55 has established that the board of regents can directly, if it chooses, decide to lay off or terminate faculty for among other things, budget related reasons or program discontinuance. It doesn't say how that decision is to be made and it's in that space that we're working. So Act 55, after the decision has been taken, notifications have to occur. There's a hearing process for faculty that are affected. There are certain other protections. But we're in that space of that initial space under what circumstances can that decision be taken. So that's the protections that we're aiming at with all of this process very briefly.

>> Michael Olneck: Michael Olneck from Educational Policy Studies and Sociology. I'm happily not a senator nor am I a-- I'm an emeritus at this point. I was very distressed by what I heard I believe from Justin because he introduced-- He referred to the word change, the word redirection, and I think you really, you keep your eyes strictly and carefully on the fact that for reasons of program modification or redirection, you cannot dismiss tenured people and be consistent with AAUP. And the fact that that-- That's not what the draft said.

[Inaudible Remark]

OK. If I'm reading it wrong, if I'm reading it wrong, I--

[Inaudible Remark]

OK, let's agree--

>> Chancellor Rebecca Blank: Well, this is clearly--

>> Michael Olneck: Let's not quibble.

>> Chancellor Rebecca Blank: This is clearly an issue that's got to be clarified by the committee and I think--

>> Michael Olneck: Yeah. Let's not quibble. I got upset because Justin referred to change and redirection and my ears heard this issue. Let's just make sure in the revision this is perfectly clear. And I wanted to say one other thing, which is a more general point, and that is we should not be implicit and acquiescent and anything that would be weaker than AAUP standards. I don't celebrate them. I know we had better, but we should not put a veneer of legitimacy on anything that fall short in the AAUP. If the board of regents doesn't like what you give them, let it be clear they are imposing changes and that we have not given them any order of legitimacy by having a document come out of the faculty senate that would do that. Thank you.

[Applause]

>> Tim Yu: Tim Yu. Faculty from the English Department. I want to thank the ad hoc committee and the University Committee for all of their very hard work in a very difficult situation, and also thank the University Committee for the listening sessions and for taking under advisement all of these suggestions. I think that incorporating these suggestions has-- will significantly improve the document and I'm really grateful to the committee for being open to that. We've been tossing around I think two sort of ideas. One is the way things were before, so before Act 55. And the other is AAUP standards. So, I just want be

really clear about kind of what the difference between these two things is as I understand it. In our pre-Act 55 standards, there were really only two situations in which tenured faculty can be laid off, for just cause or under a declaration of financial emergency, that was all. That is in fact stronger than AAUP standards. AAUP standards allows-- It says, OK, those are the two situations. There's one additional situation which is under formal program discontinuance for educational reasons. So, AAUP standards are very clear that if a program is just continued to cut the budget as a kind of individual decision, that is not a scenario in which you can lay off tenured faculty. And clearly-- and so that is why I think the committee correctly try to make a distinction among the four categories the legislature gave us, discontinuance, which is treated by AAUP standards, but given very strict safeguards. And the other three, curtailment, modification, redirection are not committed. And so that I think is the very clear principle that we need to stick to. But I also think that is why, as several people have mentioned, reincorporating the language about financial emergency is very crucial to the documents. The only-- one of the things I wanted to add was that I wanted to raise a little bit of a concern as I think one other speaker did about directly incorporating the UAPC standards in policy into this legislation. The reason is that the UAPC policy allows for a number of different considerations to contribute to the decision to close a program including budgetary decisions. And according to AAUP standards, that is not an acceptable reason to layoff faculty. So, I would urge that the committee look very carefully at how to define that process. So, for example, if perhaps looking to the language in FP and P 502, which actually guides discontinuance and restructuring, it has very vague general language, so that's a bit of an issue but that's something that I think perhaps the committee could take a look at. So, thank you.

[Inaudible Remark]

>> Chancellor Rebecca Blank: Use the mic. I don't think it's on. Come on up here.

>> Dorothy Farrar Edwards: Electronically challenged. But anyway, I didn't want to-- I'm sorry if I left you with the impression that we were going to lift the UAPC APIR document and insert it in whole cloth into Chapter 10. What we wanted to do is judiciously pull some of the language that would amplify the situations and the issues that we were discussing that was not covered in 5 point-- in Chapter 5 of FP and P to make abundantly clear that educational decisions are the power and the authority of the faculty in this institution and to reinforce the fact that programs are discontinued or closed for educational reasons. Now, I agree that that didn't come through clearly in the draft but that's the intent of incorporating selected language from the APC document to fully amplify and defend-- and define what we were planning to do.

>> Chancellor Rebecca Blank: I've got one person of each microphone I'm going to call on and we do have other business at this meeting. All of you are welcome to give further comments but unless someone has a really pressing issue that has not been raised after these two will speak, then we're going to move on to our next item of business. David.

>> Dave Vanness. Thank you. Dave Vanness from Population Health Sciences and the president of AAUP chapter at Madison. Thank you and thank you many times and-- for the committee's work and I really do appreciate it. I want to raise an issue we focused a lot here on the reasons for work discontinuation and reasons for termination. We have not yet talked a lot about process. And this is an area where I want to make sure that I understand from a legal point of view and may call on Ray Trafforia to answer this. In the event that proceedings do begin that might lead to a termination, there are in AAUP standards, both in case of termination for financial exigency or for in this additional standard of termination due to

formal program discontinuance for educational reasons, the faculty hearing committee that is meant to review the terminations in AAUP standards has given the explicit ability to question the decision to terminate the program. This is in direct contradiction to Act 55 which states that the faculty review committees may not question the decision. So if we are going to run into a, you know, a head-butting situation between our intention and the permissive versus non-permissive language, I fear that it's more likely to happen over procedure. Because even if we can allow for the reasons to be permissive, the procedure is now dictated in state statute. It was codified directly in statute 36. And so I'm wondering if you could address that issue and give some guidance to the University Committee and the rest of us on how procedure can be made consistent with AAUP standards and those provisions that are directly in the act?

>> Chancellor Rebecca Blank: Are you ready to address that right now or do you want to-- OK?

>> I understand the issue and it's an important one. Obviously, for purpose, we can't contravene the statute itself. What we try to do is in those in the space side that I've described, building as many protections on the decision to invoke the power, OK, before the power is invoked. Once the decision is made to take the decision, then we're stuck for better or for worse with the Act 55 procedures. And you're right. Once that decision is taken, then the hearing committee is not-- is confined not to question the decision, but to make sure there's not an improper legal reason given for the decision. The rest of it will have to await specific facts, I'm afraid.

[Inaudible Remark]

>> Howard Schweber: No, procedure is obviously of central importance and due process is obviously a central important-- I apologize. Howard Schweber, District 73, Political Science, whichever is valid. Procedure of due process is absolutely and obviously critical in a sense, legally, politically, morally in every possible sense, right? We can get so hang up on fighting over the [inaudible] of standard. We forget to look at the procedures and the procedure protections and that would be a disastrous mistake. Sorry, [inaudible] Dave. Dave has correctly identified a place for Act 55 does change the mandate of the committee. And by the way, for our purposes, this is a committee in faculty rights and responsibilities that carries out this function. With that exception, it should be pointed out, Act 55 did not alter any of the statutory provisions establishing procedural protections, the rights of hearing, rights modification, rights to a legal consult. None of these things are changed. It's a point that was made earlier, but I'm afraid would bite you quickly, which is that we're not working in a vacuum. Act 55 didn't say everything is wiped out, you're starting from nothing. Act 55 changed the number of things, and those we had to respond to. But the procedural protections were largely kept in place in response to diminution of the committee's authority as council suggested, what we did is we tried to increase the role of faculty authority without exceeding the statute and triggering that process in the first place. So legislature forced us to weaken role of the faculty committee once the procedure is underway, although with respect to an individual faculty member, it remains exactly the same. The authority-- The inability of the committee to challenge the closing of a program does nothing to diminish the ability of that committee to challenge the dismissal of a faculty member because of the closing of a program. So in the perspective of an individual faculty member, due process protections are exactly the same. What we then try to do on the programmatic question is to move. It's a little hard to explain when we just look at a space. Get-- Make the faculty more directly involved in the initial decision to accept the conclusion that a program should be closed at all before we trigger these procedures, and that's incorporated, as a

new role in the role that the faculty placed in advising the chancellor prior to any recommendation of the chancellor going to the regents.

>> Chancellor Rebecca Blank: Last comment.

>> Stefanie Tai: Stef Tai, faculty senate alternative-- alternate for the last [inaudible]. I just wanted to say the people who are writing in with comments, there seems to be two sort of conversations going on. There's one conversation about what's permissible and to sort of advocate within the realm of what's permissible. And I've heard a number of people talk about adopting the AAUP [inaudible] or you know, the prior standards that we have, the pre-55 standards. And I think that's important to clarify in whatever comments [inaudible]. The second part though is more of an advocacy element, right? The regents have to decide whether to adopt this. And so, including in, you know, reasons for this, why this is appropriate, not simply to relaying it to whether or not we can say something as AAUP, you know, compliant, but also sort of these larger sort of public conversations. I think it's important to sort of think about it. I'm just talking to this, you know, saying this to everyone else in the room here. But I wanted to sort of divide out both those kinds of conversations and to encourage us to think about both of them. Thank you.

>> Chancellor Rebecca Blank: To be continued. You will hear from the committee, thank them for their work and all that they've done, all they're going to do and we will continue this conversation at the November meeting. Do not leave. We have some very important items of business. Turn to page 15. Professor Meyerand is going to make a motion to change the academic calendar, and that will require a second.

>> Beth Meyerand: I move adoption of the changes to the academic calendar for 2016 through 2021 indicated in your agenda materials.

>> Chancellor Rebecca Blank: Is there a second? Thank you. Let me say a word about this. Everyone who wants to start school on Friday, September 2nd, so we have one day of school and then go through Labor Day should vote against this. But I am hoping that most of you think these are reasonable changes. It basically has a starting after Labor Day anytime unless Labor Day falls on the 7. And then because of the number of days to school we must have, we have to start the Wednesday before as we did this year or otherwise we end up with commencement after the Christmas holiday and that's not a good thing. The other change it makes is it basically says we're always going to commence in the spring on the second weekend of the spring. And it counts days backwards. That says there will be sometimes because the Martin Luther King holiday moves around, we start the week before Martin Luther King. They sometimes will start the day after, right? So, basically there's two rules that are being put in place. We always start after Labor Day unless Labor Day is the seventh and we always graduate the second weekend which will, you know, if we want to discuss that, we can. But that's what is being voted on here. Otherwise we're going to start next-- the Friday before Labor Day next year. Comments, yeah.

>> Judith Burstyn: Unfortunately, I have a comment. [Inaudible] Judith Burstyn from Chemistry. From a program that has labs and where we have very, very little flexibility in scheduling and where we cannot run labs that change over any time other than Mondays and Fridays, starting on a Wednesday is really very difficult.

>> Chancellor Rebecca Blank: I understand that. We did that this year and you faced those problems. And the problems just we are-- we legislatively have to have a certain number of days of school. And, you know, we don't take a break in the fall. If we don't-- you know, just once every seven years, if we don't start on that Wednesday, commencement doesn't happen until after the holidays and that just-- and no one is going to say that makes-- you know, that just creates real problem for us. Yeah, we understand.

>> Judith Burstyn: It's just very, very complicated to fit in a 15-week semester with lab when we have multiple weeks that are fractional.

>> Chancellor Rebecca Blank: That's why you don't want to start Friday, at least Wednesday gives you a-- for-- not for labs, for other--

>> Judith Burstyn: I don't want to start Friday, but Tuesday makes a huge difference to us because we have courses that have labs every single week that run Tuesday, Thursday and that actually makes a big difference to us.

>> Chancellor Rebecca Blank: Other comments. Yeah.

>> Rick Keller: Hi. Richard Keller, associate dean in the International Division and professor of Medical History and Bioethics. I'm not a senator. There is one concern. I think that the fall semester changes sound wonderful. I don't think anyone wants to start on a Friday before Labor Day. And the one change that does raise some concerns is the shortening of winter break which will--

>> Chancellor Rebecca Blank: In some years, it will happen. That--

>> Rick Keller: Some years.

>> Chancellor Rebecca Blank: Yeah.

>> Rick Keller: There's a number of in particular international winter-- winterim programs that would be-- would basically [inaudible] student's participation because of that shortening.

>> Chancellor Rebecca Blank: Provost, do you want to address that? I know you've talked about that one. I want to say something about the Tuesday thing, I understand that's a serious concern. We're not going to hit that for another sever years and we should go back and look at that. We can always bring that one back when we need to.

>> Provost Sarah Mangelsdorf: There are tradeoffs in all of these, some of it, if we go too long in the spring, then our students can't do the four-week sessions that's-- You know, we can't have a four-week and then an eight-week summer session, and there's certain internship opportunities they miss out on if we push our commencement to like last weekend in May and so forth. So, it is a tradeoff. And part of the problem is that MLK Day varies so much from year to year. And so I think, are there particular lengths of these international programs that are they on a set schedule? You see, that's the problem. I mean if we could predict that they always end at January 15, there's something we could-- I mean-- And this isn't-- we really need to make this change for this coming year because of this Labor Day situation. We also work-- the chancellor and I are both very surprised to discover that up until this last year, we had exams on commencement in the spring, which we didn't think was a good idea and so the registrar helped us move the exam schedule around rather than changing last day of classes. So we really want--

We want people who-- to be able to go to their own commencement or if their sibling is graduating to go to their commencement, so we have to make a few changes. But there are these really strict state laws and also regent policy about how long our semester needs to be and that we can never start before September 1st and all of those things. So, it's a complicated puzzle to put together, but I think these changes will greatly help.

>> Chancellor Rebecca Blank: I will tell you that these two rules took a long time to get there and they were wonderfully simple compared to where we started. Any other conversation? I have a motion and I have a second. I'm going to call for a voice vote. All those in favor indicate by saying aye.

>> [Simultaneously] Aye.

>> Chancellor Rebecca Blank: All those opposed? Any abstentions? It carries. Professor Meyerand, will you make a motion to modify FPP with regards to workflow for tenure clock extension request, and that is also going to require a second.

>> Beth Meyerand: Magic script, OK. I move adoption of faculty document 2571 which changes FP and P language to align with our practice on tenure clock extensions.

>> Chancellor Rebecca Blank: Is there a second? Is there discussion? Seeing no discussion, all those in favor of the motion indicate by saying aye.

>> [Simultaneously] Aye.

>> Chancellor Rebecca Blank: Any opposed? Any abstentions? All right, I now recognize Professor Rick Keller, who for informational purposes only, very quickly, is going to propose a change in the name of the division of International Studies to be International Division.

>> Rick Keller: Thank you. In 2013, the advisory board report on restructuring the Division of International Studies recommended that the division create a new name and mission statement in order to convey more clearly the breadth of its activities. With guidance from the Office of Quality Improvement, the division has now completed the process that produced this new mission statement and name. The new name will be the International Division with the tagline, advancing the global Wisconsin idea. This name was approved by the division's APC as well as the UAPC and the Dean's Council. I refer to you the-- I refer you to the accompanying documents for any further clarification. Thank you.

>> Chancellor Rebecca Blank: One last item of business, Professor Chad Goldberg has asked to make a motion to endorse the AFT-Wisconsin Higher Education Council statement on tenure and indefinite status which is at the very end looks like this of your packaging.

>> Chad Goldberg: Thank you, Chancellor. So this statement, just very briefly, was drafted by the American Federation of Teachers Wisconsin Higher Education Council on which United Faculty and Academic Staff, the AFT local for this campus is represented. In brief, the statement does the following. It acknowledges the changes in the law from Act 55. It nevertheless calls upon the chancellors and including Chancellor Blank, and the regents to defend tenure and practice and policy to the full extent of former state law and national AAUP standards. It also calls upon the regents and the chancellors to

oppose any change in indefinite status for academic staff, and it says that if any of these principles are violated, we will engage in appropriate elective action to defend them. I've already discussed this item with UC chair Beth Meyerand as I explained to her, I believe the AFT-Wisconsin is consistent with the spirit of the proposed revisions to FP and P 10, although as I've said earlier, I believe that the latter needs amendments to bring it into fuller compliance with the AAUP standards. I should add that the statement is of course endorsed by United Faculty and Academics Staff, as well as the executive committee of Madison's AAUP chapter, the Wisconsin University union and the executive council of the TAA. Governance bodies at other UW campuses are also considering the same statements and are working to pass it there. And I would simply add that I believe that this statement is consistent with points-- with the point that has come up again and again in this discussion, that the language of Act 55 is permissive. It's not a command or directive. So, the motion is for the faculty senate to endorse the statement. I urge you to vote in favor.

>> Chancellor Rebecca Blank: I need a second for this motion.

>> Howard Schweber: Howard Schweber, District 73. I think that today's discussion has showed that the question of whether Act 55 is permissive in some places and mandatory in others is a little more complicated than may have been previously understood. Regardless, I don't think that this statement can be properly considered until such time as the senate has reached resolution on the proposed amendments to FPP Chapter 10. I therefore propose about discussion and voting on this motion be tabled until after such time as the senate has adopted a final version of recommended modifications to Chapter 10.

>> Chancellor Rebecca Blank: So, I think if the-- that actually you need to propose not a tabling but a postponement. I think that's the appropriate language if you take that as a friendly amendment. And I've got a second to this. So now we have to have a discussion on the motion to postpone and not on the underlying emotion. So this is a discussion. Am I right about that? Yeah, the only discussion can be about why they should be postponed and not about the pros and cons of other aspects of this motion. So we're now going to discuss whether or not to postpone this until after the vote in November.

>> Michael Kissick: Michael Kissick, District 88. Why not endorse it now, not postpone it so that we can send the right message?

>> Bruce Barrett: Bruce Barrett, [inaudible] family medicine. I agree. I think this is a good statement and we should endorse it today.

>> Chad Goldberg: I am Goldberg, District 71. I urge you to vote against the motion to postpone this. I'm afraid that this is a way of killing the motion actually and I don't think that the two are tightly tied to this statement as an aspirational statement. It calls upon the chancellor and the regents to refrain from doing certain things, and that doesn't have any bearing on what we, the faculty, decide for our procedures with the proposed revisions to FP and P. So, I think that this can be done in advance, whatever decisions we make in November in regard to FP and P.

>> Judith Burstyn: Judith Burstyn, District 48. I do not support the postponement, I think that the statement is straightforward and as congruent with many of the discussions, what we had earlier.

>> Paul Milenkovic, Electrical and Computer Engineering. I support the postponement.

>> Howard Schweber: Howard Schweber, District 73 supporting my own motion, however, briefly. This is not an innocuous statement. There are two things about it that should jump out of you. Number one, by calling on the chancellor to support return to prior statutory standards, it's arguably illegal and certainly contradictory to what we have recognized as the necessities-- necessary limitations Act 55 puts upon us. Secondly, it is not a mere statement of principle. It calls upon us as a faculty to pledge, to engage in collective action. I think that needs a little discussion before. I'm prepared to vote one way or the other, otherwise, I would have pledged to engage in all appropriate collective action. I kind of want to know what that is.

>> Chancellor Rebecca Blank: Any other discussion on the postponement itself?

>> And I urge you to vote against the postponement. It calls for appropriate collective action that is for us to determine. It's not for anyone else to determine. It would be that we, the faculty senate decide what would be appropriate.

>> Karma Chavez: Karma Chavez, District 49. Also a UCAS member. I just want to say something against the postponement. I don't think this is a legal document. I would agree with Chad this is an aspirational document and I think it's important for us to support something like this in this moment so I would say we should not postpone.

>> Chancellor Rebecca Blank: Some any other discussion? We are going to vote on whether to postpone action on this document until after the senate has acted on the changes to FP and P. Is it clear to everyone what we're voting on? All those in favor of postponing this discussion until after action on the FP and P changes, indicate by saying aye.

>> [Simultaneously] Aye.

>> Chancellor Rebecca Blank: Any opposed?

>> [Simultaneously] Nay.

>> Chancellor Rebecca Blank: I think we're going to take a vote. OK, who's going to-- you got counters? All right. All those who are in favor of postponing, please raise your hand and keep them up. All right, we got [inaudible]. All of those who are opposed to the postponement, raise your hand and keep them up. OK. The postponement passes. So this is postponed until after the vote and I am sure that it will be brought forward again at that point. All right, that is the end of the agenda. I'm going to adjourn the meeting, and thank you all for your attention and a very good discussion.